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No. 124—Part II

Senate

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004—Continued

AMENDMENTS NOS. 1548, 1552, AS FURTHER MODIFIED, 1569, 1603, AS MODIFIED, 1612, AS MODIFIED, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, EN BLOC

Mr. SPECTER. Mr. President, I send a series of cleared amendments to the desk and ask unanimous consent that they be agreed to en bloc, with the motion to reconsider laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The amendments are considered and agreed to en bloc.

The amendments are as follows:

AMENDMENT NO. 1548

(Purpose: To provide for the establishment of summer health career introductory programs for middle and high school students)

At the appropriate place, insert the following:

SEC. . SUMMER HEALTH CAREER INTRODUCTORY PROGRAMS.

(a) FINDINGS.—Congress finds that—

(1) the success of the health care system is dependent on qualified personnel;

(2) hospitals and health facilities across the United States have been deeply impacted by declines among nurses, pharmacists, radiology and laboratory technicians, and other workers;

(3) the health care workforce shortage is not a short term problem and such workforce shortages can be expected for many years; and

(4) most States are looking for ways to address such shortages.

(b) GRANTS.—The Secretary of Health and Human Services, acting through the Bureau of Health Professions of the Health Resources and Services Administration, may award not to exceed 5 grants for the establishment of summer health career introductory programs for middle and high school students.

(c) ELIGIBILITY.—To be eligible to receive a grant under subsection (b) an entity shall—

(1) be an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)); and

(2) prepare and submit to the Secretary of Health and Human Services an application

at such time, in such manner, and containing such information as the Secretary may require.

(d) DURATION.—The term of a grant under subsection (b) shall not exceed 4 years.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, such sums as may be necessary for each of fiscal years 2004 through 2007.

AMENDMENT NO. 1552

On page 61, between lines 14 and 15, insert the following:

SEC. . In addition to any amounts otherwise appropriated under this Act for programs and activities under the Nurse Reinvestment Act (Public Law 107-205) and for other nursing workforce development programs under title VIII of the Public Health Service Act (42 U.S.C. 296 et seq.), there are appropriated an additional \$50,000,000 for such programs and activities.

AMENDMENT NO. 1569

(Purpose: To provide for a report concerning how Federal funds are expended relating to Hansen's Disease)

At the appropriate place, insert the following:

SEC. . Not later than May 1, 2004, the Secretary of Health and Human Services shall submit to the appropriate committees of Congress a report concerning the manner in which the Department of Health and Human Services expends Federal funds for research, patient care, and other activities relating to Hansen's Disease. The report shall include—

(1) the amounts provided for each research project;

(2) the amounts provided to each of the 12 treatment centers for each of research, patient care, and other activities;

(3) the per patient expenditure of patient care funds at each of the 12 treatment centers; and

(4) the mortality rates at each of the 12 treatment centers.

AMENDMENT NO. 1603

At the end of title III, insert the following:

SEC. 306. (a) In addition to any amounts otherwise appropriated under this Act, there may be appropriated, out of any money in the Treasury not otherwise appropriated—

(1) an additional \$4,000,000 to carry out title III of the Elementary and Secondary Education Act of 1965 (language instruction);

(2) up to \$1,000,000 to carry out part A of title V of the Higher Education Act of 1965 (Hispanic-serving institutions);

(3) up to \$500,000 to carry out part C of title I of the Elementary and Secondary Education Act of 1965 (migrant education);

(4) up to an additional \$3,000,000 to carry out high school equivalency program activities under section 418A of the Higher Education Act of 1965 (HEP);

(5) up to an additional \$500,000 to carry out college assistance migrant program activities under section 418A of the Higher Education Act of 1965 (CAMP);

(6) up to an additional \$1,000,000 to carry out subpart 16 of part D of title V of the Elementary and Secondary Education Act of 1965 (parental assistance and local family information centers); and

AMENDMENT NO. 1612

In the matter under the heading "TRAINING AND EMPLOYMENT SERVICES" under the heading "EMPLOYMENT AND TRAINING ADMINISTRATION" in title I, add at the end the following:

For necessary expenses of the Workforce Investment Act of 1998, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Workforce Investment Act of 1998, \$25,000,000 may be used to carry out activities described in section 132(a)(2)(B) of that Act (relating to dislocated worker employment and training activities and other activities for dislocated workers).

AMENDMENT NO. 1623

(Purpose: To increase funding for activities to prevent the mother-to-child transmission of HIV)

On page 61, between lines 14 and 15, insert the following:

SEC. . (a) MOTHER-TO-CHILD HIV TRANSMISSION PREVENTION.—In addition to any amounts otherwise made available under this Act to carry out mother-to-child HIV transmission prevention activities, there shall be made available an additional \$60,000,000 to carry out such activities and \$1,000,000 for non-mother-to-child activities.

(b) REDUCTION IN AMOUNTS.—Amounts made available under this Act for the administrative and related expenses for departmental management for the Department of Labor, the Department of Health and Human Services, the Department of Education, shall be reduced on a pro rata basis by \$61,000,000.

AMENDMENT NO. 1624

At the end of title III, insert the following:

SEC. . For activities authorized by part H of title I of the Elementary and Secondary Education Act, there are hereby appropriated up to \$5,000,000, which may be used to carry out such activities.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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AMENDMENT NO. 1625

(Purpose: To provide for the conduct of studies concerning the program established under the Mammography Quality Standards Act of 1992)

At the appropriate place in title II, insert the following:

SEC. ____ STUDIES CONCERNING MAMMOGRAPHY STANDARDS.

(a) **STUDY BY GAO.**—

(1) **IN GENERAL.**—The Comptroller General of the United States shall conduct a study of the program established under the Mammography Quality Standards Act of 1992 (section 354 of the Public Health Service Act (42 U.S.C. 263b)) (referred to in this section as the “MQSA”) to—

(A) evaluate the demonstration program regarding frequency of inspections authorized under section 354(g) of the Public Health Service Act (42 U.S.C. 263b(g)), including the effect of the program on compliance with the MQSA;

(B) evaluate the factors that contributed to the closing of the approximately 700 mammography facilities nationwide since 2001, whether those closings were due to consolidation or were a true reduction in mammography availability, explore the relationship between certified units and facility capacity, and evaluate capacity issues, and determine the effect these and other closings have had on the accessibility of mammography services, including for underserved populations, since the April 2002 General Accounting Office report on access to mammography; and

(C) evaluate the role of States in acting as accreditation bodies or certification bodies, or both, in addition to inspection agents under the MQSA, and in acting as accreditation bodies for facilities in other States and determine whether and how these roles affect the system of checks and balances within the MQSA.

(2) **REPORT.**—Not later than 16 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives a report on the study described in paragraph (1).

(b) **STUDY BY THE INSTITUTE OF MEDICINE.**—

(1) **IN GENERAL.**—Not later than 30 days after the date of enactment of this Act, the Secretary of Health and Human Services shall enter into an agreement with the Institute of Medicine of the National Academy of Sciences for the conduct of a study and the making of recommendations regarding the following:

(A) Ways to improve physicians’ interpretations of mammograms, including approaches that could be taken under the MQSA without negatively impacting access to quality mammography.

(B) What changes could be made in the MQSA to improve mammography quality, including additional regulatory requirements that would improve quality, as well as the reduction or modification of regulatory requirements that do not contribute to quality mammography, or are no longer necessary to ensure quality mammography. Such reduction or modification of regulatory requirements and improvements in the efficiency of the program are important to help eliminate disincentives to enter or remain in the field of mammography.

(C) Ways, including incentives, to ensure that sufficient numbers of adequately trained personnel at all levels are recruited and retained to provide quality mammography services.

(D)(i) How data currently collected under the MQSA could be used to improve the qual-

ity, interpretation of, and access to mammography.

(ii) Identification of new data points that could be collected to aid in the monitoring and assessment of mammography quality and access.

(E) Other approaches that would improve the quality of and access to mammography services, including approaches to improving provisions under the MQSA.

(F) Steps that should be taken to help make available safe and effective new screening and diagnostic devices and tests for breast cancer.

(2) **REPORT.**—Not later than 15 months after the date on which the agreement is entered into under paragraph (1), the Institute of Medicine shall complete the study described under such subsection and submit a report to the Secretary of Health and Human Services, the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate, and the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives.

(3) **FUNDING.**—Of the amounts appropriated under this title to the Office of the Secretary of Health and Human Services for general departmental management, \$500,000 shall be made available to carry out the study under this subsection.

AMENDMENT NO. 1626

(Purpose: To provide funds for the conduct of a grant program to strengthen local capacity on Native American reservations to screen for and treat sexually transmitted diseases)

At the appropriate place in title II, insert the following:

SEC. ____ (a) FINDINGS.—The Senate finds that—

(1) Native American populations have seen an alarming increase in sexually transmitted disease prevalence in recent years; and

(2) a screening, treatment, and education program, administered by tribal health organizations or local health care providers, on Native American reservations with high rates of sexually transmitted diseases will help prevent a corresponding increase in the prevalence of HIV.

(b) **GRANT PROGRAM.**—From amounts appropriated under this title for the Centers for Disease Control and Prevention, there may be made available up to \$1,000,000 to enable the Director of the Centers for Disease Control and Prevention to carry out competitive grant program to strengthen local capacity on Native American reservations to screen for and treat sexually transmitted diseases and to educate local populations about such diseases, the consequences thereof, and how the transmission of such diseases can be prevented.

AMENDMENT NO. 1627

(Purpose: To provide funding for newborn and child screening for heritable disorders)

On page 61, between lines 14 and 15, insert the following:

SEC. ____ In addition to any amounts otherwise appropriated under this Act for the support of the improved newborn and child screening for heritable disorders program authorized under section 1109 of the Public Health Service Act (42 U.S.C. 300b-8), there may be appropriated up to an additional \$2,000,000 to carry out such program.

AMENDMENT NO. 1628

(Purpose: To provide funding for the mass layoff statistics program)

On page 18, line 14, strike “\$440,113,000” and insert “\$445,113,000”.

On page 18, line 17, insert before the period the following: “, of which \$5,000,000 may be

used to fund the mass layoff statistics program under section 15 of the Wagner-Peyser Act (29 U.S.C. 491-2)”.

AMENDMENT NO. 1629

(Purpose: To increase funding for the Special Volunteers for Homeland Security program)

At the appropriate place in title V, insert the following:

SEC. ____ In addition to any amounts otherwise appropriated under this Act for the Special Volunteers for Homeland Security program, there may be appropriated an additional \$5,000,000 for such program.

AMENDMENT NO. 1630

(Purpose: To provide protection for nationals and residents of the Islamic Republic of Iran who are targets of persecution)

On page 57, between lines 14 and 15, insert the following:

“(C) in subsection (b)(1)—

“(i) in subparagraph (A), by striking ‘and’ at the end;

“(ii) in subparagraph (B), by striking the period and inserting ‘; and’; and

“(iii) by adding at the end the following:

“(C) one or more categories of aliens who are or were nationals and residents of the Islamic Republic or Iran who, as members of a religious minority in Iran, share common characteristics that identify them as targets of persecution in that state on account of race, religion, nationality, membership in a particular social group, or political opinion.”; and”.

AMENDMENT NO. 1631

(Purpose: To authorize funding for the Daniel Patrick Moynihan Global Affairs Institute Act)

At the appropriate place, insert the following:

DANIEL PATRICK MOYNIHAN GLOBAL AFFAIRS INSTITUTE

SEC. ____ (a) DEFINITIONS.—In this section:

(1) **ENDOWMENT FUND.**—The term “endowment fund” means a fund established by the Maxwell School of Citizenship and Public Affairs of the Syracuse University in Syracuse, New York, for the purpose of generating income for the support of the School and other purposes as described in subsection (d).

(2) **SCHOOL.**—The term “School” means the Maxwell School of Citizenship and Public Affairs of the Syracuse University in Syracuse, New York.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of Education.

(4) **UNIVERSITY.**—The term “University” means the Syracuse University in Syracuse, New York.

(b) **DANIEL PATRICK MOYNIHAN GLOBAL AFFAIRS INSTITUTE.**—

(1) **REDESIGNATION.**—To be eligible for a grant under subsection (c), the University shall designate the global affairs institute within the Maxwell School of Citizenship and Public Affairs of the University as the “Daniel Patrick Moynihan Global Affairs Institute”.

(2) **REFERENCES.**—Any reference in a law, map, regulation, paper, or other record to the global affairs institute within the Maxwell School of Citizenship and Public Affairs of the University, shall be deemed to be a reference to the Daniel Patrick Moynihan Global Affairs Institute.

(c) **GRANT FOR ENDOWMENT FUND.**—From amounts appropriated under subsection (f), the Secretary may award a grant to the University for the establishment of an endowment fund to support the Daniel Patrick Moynihan Global Affairs Institute.

(d) **DUTIES.**—Amounts received under a grant under subsection (c), shall be used to—

(1) carry on the public and intellectual tradition of Senator Daniel Patrick Moynihan;

(2) sustain all of the core activities of the School;

(3) fund the residencies of visiting scholars and international leaders;

(4) support scholarship, training, and practice in countries that are often the most impoverished economically, institutionally, and civically;

(5) support partnerships with governments and other relevant entities around the world to train government officials both at the School and in their home countries; and

(6) expand the facilities of the School.

(e) MISCELLANEOUS PROVISIONS RELATING TO THE ENDOWMENT FUND.—

(1) MANAGEMENT.—The endowment fund established under subsection (c) shall be managed in accordance with the standard endowment policies established by the University.

(2) USE OF INTEREST AND INVESTMENT INCOME.—Interest and other investment income earned from the endowment fund may be used to carry out the duties under subsection (d).

(3) DISTRIBUTION OF INTEREST AND INVESTMENT INCOME.—Funds derived from the interest and other investment income earned from the endowment fund shall be available for expenditure by the University for purposes consistent with subsection (d).

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$10,000,000 to remain available until expended.

AMENDMENT NO. 1632

(Purpose: To require the Centers for Disease Control and Prevention to prepare a comprehensive plan to address blood safety and injection safety in Africa under the Global AIDS Program)

On page 61, between lines 14 and 15, insert the following:

SEC. ____ Not later than 120 days after the date of enactment of this Act, the Director of the Centers for Disease Control and Prevention shall prepare a plan to comprehensively address blood safety and injection safety in Africa under the Global AIDS Program.

AMENDMENT NO. 1633

(Purpose: To require the Secretary of Labor, the Secretary of Health and Human Services, and the Secretary of Education to report to Congress on acquisitions made by each Department of articles, materials, or supplies manufactured outside the United States)

On page 20, line 19, strike the period at the end and insert “: *Provided further*, That of this amount, sufficient funds shall be available for the Secretary of Labor, not later than 60 days after the last day of the fiscal year, to submit to Congress a report on the amount of acquisitions made by the Department of Labor during such fiscal year of articles, materials, or supplies that were manufactured outside the United States. Such report shall separately indicate the dollar value of any articles, materials, or supplies purchased by the Department of Labor that were manufactured outside the United States, an itemized list of all waivers under the Buy American Act (41 U.S.C. 10a et seq.) that were granted with respect to such articles, materials, or supplies, and a summary of total procurement funds spent on goods manufactured in the United States versus funds spent on goods manufactured outside of the United States. The Secretary of Labor shall make the report publicly available by posting the report on an Internet website.

On page 49, line 21, strike the period and insert “: *Provided further*, That of this amount, sufficient funds shall be available for the Secretary of Health and Human Services, not later than 60 days after the last day

of the fiscal year, to submit to Congress a report on the amount of acquisitions made by the Department of Health and Human Services during such fiscal year of articles, materials, or supplies that were manufactured outside the United States. Such report shall separately indicate the dollar value of any articles, materials, or supplies purchased by the Department of Health and Human Services that were manufactured outside the United States, an itemized list of all waivers under the Buy American Act (41 U.S.C. 10a et seq.) that were granted with respect to such articles, materials, or supplies, and a summary of total procurement funds spent on goods manufactured in the United States versus funds spent on goods manufactured outside of the United States. The Secretary of Health and Human Services shall make the report publicly available by posting the report on an Internet website.”

On page 74, line 4, strike “Washington, D.C.” and insert “Washington, D.C.: *Provided*, That of this amount, sufficient funds shall be available for the Secretary of Education, not later than 60 days after the last day of the fiscal year, to submit to Congress a report on the amount of acquisitions made by the Department of Education during such fiscal year of articles, materials, or supplies that were manufactured outside the United States. Such report shall separately indicate the dollar value of any articles, materials, or supplies purchased by the Department of Education that were manufactured outside the United States, an itemized list of all waivers under the Buy American Act (41 U.S.C. 10a et seq.) that were granted with respect to such articles, materials, or supplies, and a summary of total procurement funds spent on goods manufactured in the United States versus funds spent on goods manufactured outside of the United States. The Secretary of Education shall make the report publicly available by posting the report on an Internet website.”

AMENDMENT NO. 1634

(Purpose: To provide for the accurate and timely processing of medicare claims)

On page 41, insert the following before the period on line 9: “: *Provided further*, that to the extent Medicare claims processing unit costs are projected by the Centers for Medicare & Medicaid Services to exceed \$0.87 for Part A claims and/or \$0.65 for Part B claims, up to an additional \$18,000,000 may be available for obligation for every \$0.04 increase in Medicare claims processing unit costs from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds. The calculation of projected unit costs shall be derived in the same manner in which the estimated unit costs were calculated for the Federal budget estimate for the fiscal year.”

AMENDMENT NO. 1635

On page 61, between lines 14 and 15, insert the following:

SEC. ____ In addition to any amounts otherwise appropriated under this Act to carry out activities under the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 et seq.), there are appropriated—

(1) up to an additional \$143,000 may be used to carry out activities under title I of such Act (child abuse State grants);

(2) up to an additional \$212,000 may be used to carry out activities under title II of such Act (community-based resource centers); and

(3) up to an additional \$2,100,000 may be used for child abuse discretionary grants under such Act.

AMENDMENT NO. 1636

(Purpose: To provide additional funding to the Office of Minority Health to conduct a demonstration project to reduce SIDS disparity rates)

At the appropriate place in title II, insert the following:

SEC. ____ (a) FINDINGS.—The Senate finds that—

(1) a recent Aberdeen Area Indian Health Service infant mortality study identified protective and risk factors associated with Sudden Infant Death Syndrome (referred to in this section as “SIDS”);

(2) several conclusions from the study suggest courses of action to reduce the incidence of SIDS among Native American and other high-incidence populations;

(3) the study noted that alcohol consumption by women of childbearing age (especially during pregnancy), maternal and environmental tobacco exposure during pregnancy, and pregnancy by women under the age of 20 increase the risk for SIDS;

(4) in 2000, for infants of African American mothers, the SIDS death rate was 2.4 times that for non-Hispanic white mothers;

(5) nationwide, SIDS rates for infants of Native American mothers were 2.6 times those of non-Hispanic white mothers; and

(6) the Office of Minority Health of the Department of Health and Human Services has the expertise to coordinate SIDS disparity reduction efforts across the Department of Health and Human Services.

(b) INCREASE IN FUNDING.—In addition to any amounts otherwise appropriated in this Act to carry out activities to reduce Sudden Infant Death Syndrome disparity rates, there may be appropriated up to an additional \$2,000,000 to enable the Director of the Office of Minority Health of the Department of Health and Human Services to carry out a demonstration project, in coordination with the Administrator of the Health Resources and Services Administration, the Director of the National Institutes of Health, the Director of the Indian Health Services, the Administrator of the Center for Medicare & Medicaid Services, the Director of the Centers for Disease Control and Prevention, and the heads of other agencies within the Department of Health and Human Services (as appropriate), to reduce Sudden Infant Death Syndrome disparity rates, and to provide risk reduction education to African American and Native American populations in the United States, including efforts to reduce alcohol use by pregnant women, support for smoking cessation (maternal and secondhand) programs, and education of teenagers on the risk factors for Sudden Infant Death Syndrome associated with teenage pregnancy within African American and Native American communities.

(c) SENSE OF THE SENATE.—It is the sense of the Senate that in carrying out the demonstration project under subsection (b), the Director of the Office of Minority Health is encouraged to—

(1) expand upon the similar pilot program for Native Americans that was funded by the Office of Minority Health; and

(2) coordinate with the Administrator of the Health Resources and Services Administration, the Director of the Centers for Disease Control and Prevention, the Director of the National Institutes of Health, the Director of the Indian Health Services, the Administrator of the Center for Medicare & Medicaid Services, and the heads of other agencies within the Department of Health and Human Services (as appropriate) to support activities to reduce alcohol use by pregnant women, support smoking cessation (maternal and secondhand), and educate teenagers on the risk factors for SIDS associated

with teenage pregnancy within the African American and Native American communities.

AMENDMENT NO. 1637

(Purpose: To provide funds for programs on community automatic external defibrillators)

At the appropriate place in title II, insert the following:

SEC. ____ (a) AUTOMATIC EXTERNAL DEFIBRILLATORS.—There may be appropriated up to, \$2,000,000 to fund programs on community automatic external defibrillators under section 312 of the Public Health Service Act (42 U.S.C. 244).

AMENDMENT NO. 1638

(Purpose: To require the Department of Labor to cease the implementation of closing procedures for the Department of Labor Employment and Training Administration regional office in New York City, New York, and the Employment and Training Administration affiliate offices in Seattle, Washington, Kansas City, Missouri, and Denver, Colorado until September 30, 2004)

At the end of title I, insert the following:
SEC. ____ The Department of Labor may cease the implementation of closing procedures for the Department of Labor Employment and Training Administration regional office in New York City, New York, and the Employment and Training Administration affiliate offices in Seattle, Washington, Kansas City, Missouri, and Denver, Colorado until September 30, 2004.

AMENDMENT NO. 1639

(Purpose: To provide additional funding for the purchase of automatic external defibrillators and the training of individuals in cardiac life support in rural areas)

On page 61, between lines 14 and 15 insert the following:

SEC. ____ From the amounts appropriated under the heading OFFICE OF THE SECRETARY, GENERAL DEPARTMENTAL MANAGEMENT there may be made available an additional \$2,000,000 to the Health Resources and Services Administration for the purchase of automatic external defibrillators and the training of individuals in cardiac life support in rural areas.

AMENDMENT NO. 1640

(Purpose: To allow continued funding of the Council on Graduate Medical Education)

On page 61, between lines 14 and 15, insert the following:

“SEC. ____ Notwithstanding any other provisions of law, funds made available under this heading may be used to continue operating the Council on Graduate Medical Education established by Section 301 of Public Law 102-408.

AMENDMENT NO. 1641

(Purpose: To re-allocate funds within the CDC construction account and other purposes)

On page 28, line 6, strike “\$250,000,000” and insert “\$260,000,000” in lieu thereof. On page 28, line 5, insert after “; and” the following: “purchase.”

AMENDMENT NO. 1642

(Purpose: To provide funding for the rural emergency medical service training and equipment assistance program)

On page 27, line 2, insert before the period the following: “: Provided further, That up to \$15,000,000 may be made available to carry out the rural emergency medical service training and equipment assistance program under section 330J of the Public Health Service Act (42 U.S.C. 254c-15).”

AMENDMENT NO. 1643

(Purpose: To provide an additional offset for increased spending)

At the appropriate place in Section 515(a): Increase the amount by \$37,455,000.

AMENDMENT NO. 1644

(Purpose: To provide for the issuance of rules relating to Personal Dust Monitor prototypes)

On page 23, between lines 15 and 16, insert the following:

SEC. ____ (a) FINDINGS.—Congress finds that—

(1) it is projected that the Department of Labor, in conjunction with labor, industry, and the National Institute for Occupational Safety and Health, will be undertaking several months of testing on Personal Dust Monitor production prototypes; and

(2) the testing of Personal Dust Monitor prototypes is set to begin (by late May or early June of 2004) following the scheduled delivery of the Personal Dust Monitors in May 2004.

(b) RE-PROPOSAL OF RULE.—Following the successful demonstration of Personal Dust Monitor technology, and if the Secretary of Labor makes a determination that Personal Dust Monitors can be effectively applied in a regulatory scheme, the Secretary of Labor shall re-propose a rule on respirable coal dust which incorporates the use of Personal Dust Monitors, and, if such rule is re-proposed, the Secretary shall comply with the regular procedures applicable to Federal rulemaking.

AMENDMENT TO NO. 1603, AS MODIFIED

Mr. LIEBERMAN. Mr. President, I rise, as a cosponsor, to express my support for the amendment offered by my distinguished colleague from Nevada, Mr. REID, to provide funding for a number of programs critical to Hispanic children around the Nation. Clearly, the programs identified in this amendment are vital to improving educational outcomes for Hispanic students.

As a nation we have made a commitment to leave no child behind. Yet, too often, the needs of Hispanic children are overlooked, and Hispanic children are left behind. The U.S. Census Bureau recently indicated that Hispanics are the largest minority group in the country. The fact is, however, they often are among the most educationally disadvantaged students in the country. Hispanic students are less likely to complete high school and to enroll in or graduate from college.

The amendment before us will help to address these issues in several ways. It includes \$85 million for title III language instruction. Under this program, State and local schools implement programs that help limited English-proficient students learn English and keep up with their schoolwork. The Senate mark actually cuts this program from last year's level of \$685 million. This is unacceptable. For Hispanic serving institutions, the Senate bill provides a small but inadequate increase above last year's level. This amendment includes \$6.4 million in urgently needed funds for HSIs, which continue to receive significantly less Federal funding per student than other degree-granting institutions.

My colleague's amendment also includes \$4.6 million for migrant edu-

cation, which was level funded in the committee mark, and \$1 million for the College Assistance Migrant Program, which the committee cut from last year's level. These programs help to identify migrant students, provide health services, and provide counseling and other assistance for migrants who have dropped out of high school. In addition, the amendment includes \$11 million for the High School Equivalency Program, \$12.8 million for Local Family Information Centers, and \$69 million for Head Start Migrant and Seasonal Programs.

I commend the Senator from Nevada for offering this amendment, and urge my colleagues to support it. This is an investment in our Nation's future. The academic achievement gap between Latino students and the remaining student population is a national disgrace. I am informed that approximately one-third of new workers are Latino. Let us work together to invest in these youth, for the benefit of the Latino community and for the benefit of our Nation.

Mr. BINGAMAN. Mr. President, I rise today to urge my fellow Senators to support this very important amendment. This amendment would invest an additional \$190 million in our Nation's future, by strengthening seven programs: The High School Equivalency Program, HEP; The College Assistance Migrant Program, CAMP; migrant education; local family information centers; bilingual education; Hispanic serving institutions, HSIs; and Head Start for children of migrant workers.

If we do not pass this amendment, funding for the High School Equivalency Program will be cut by 43 percent. This program provides academic instruction, counseling, computer assisted teaching, career awareness to migrant students studying for the GED, as well as assistance with college admissions and job placement.

If this amendment is not passed, 23 program slots will be eliminated due to the lack of funding. Currently, these 23 slots are filled by some of the oldest and best performing projects in the HEP program, some of which have been providing services for 30 years. As a whole, 73 percent of their students received GEDs, and no less than three of the programs have had consecutive years of 100 percent of their students receiving their GEDs. All of these programs are up for renewal as well as competition for these slots with other programs.

One of the 23 programs that faces elimination is in my own State of New Mexico at the Northern New Mexico Community College. Other States in which programs are at risk of not being renewed due to the lack of funding include Pennsylvania, Texas, Idaho, Mississippi, Colorado, Florida, Oregon, Tennessee, Washington, Wisconsin and California.

A second program whose funding has been cut is the College Assistance Migrant Program or CAMP. CAMP recruits talented migrant high school

graduates and GED recipients, who aspire to a postsecondary education but lack adequate resources. CAMP assists students in their first year of college with personal and academic counseling, mentoring, and stipends.

Before the Federal Government created CAMP programs, there was no record of a migrant child having completed college. Since their inception, both HEP and CAMP have achieved stunning success rates. For the projects that received 5-year grants in 1999, 72 percent of the HEP participants have received their GEDs while over 80 percent of the CAMP students have successfully completed their first year of college. Over the history of the program, nearly three-quarters of all CAMP students received baccalaureate degrees.

The existing 102 HEP and CAMP programs serve approximately 15,000 students in 25 States and Puerto Rico. Many areas of the country have no access to the programs at all. Based on the Department of Education's estimate, of the over 750,000 school-aged migrant children, over the next 5 years there will be over 170,000 migrant children who will become dropouts and eligible for HEP services. CAMP programs will have approximately 140,000 students who will qualify for services. The need for services far outstrips the programs' current resources.

The title I Migrant Education Program was established to provide a compensatory education program designed to deal with the difficulties encountered by children of migrant workers as a consequence of their mobility. Some of these children attend three or four schools in a single school year. They have a need for coordination of educational services among the States and local districts where they live, often for a short time. The MEP builds the support structures for migrant students so that they can achieve high levels of success both in and outside of school.

The U.S. Department of Education reports that more than 750,000 students were identified as eligible for the program in fiscal year 2001. Additional funds are needed to ensure that these children are able to meet the challenges mandated by the No Child Left Behind Act. This amendment will provide an additional \$4,587,000 in needed funding.

The Local Family Information Centers was authorized under the No Child Left Behind Act to provide parents of title I students, including English language learners, with information about their children's schools so that they can help their children to meet the high standards we have set under NCLB. The Local Family Information Centers also help parents to hold their local and state school officials accountable and become more involved in their children's education. This amendment would increase funding by \$12.8 million.

This amendment would increase funding to State and local education

agencies in order to ensure that as many of the 4.6 million children with limited English skills as possible learn English, develop high levels of academic attainment, and meet the same challenging State academic standards as all children.

Title III is a formula grant program that distributes funding to all 50 States based on the number of limited English proficient, LEP, and recent immigrant students. The funds are used for developing effective language acquisition programs; training for bilingual/ESL teachers and regular teachers and educational personnel; parent involvement; and providing services for recently arrived immigrant students. This amendment would restore the \$20.5 million cut in the current legislation and increase funds by an additional \$64.5 million.

Currently, 35 percent of Hispanics are under the age of 18. The Educational Testing Service has projected the U.S. higher education system will grow by 3.5 million additional students by 2015 and that nearly 40 percent of these new students will be Hispanic. HSIs serve the largest concentrations of the Nation's youngest and largest ethnic population. HSIs, by definition, have a full-time student enrollment that is at least 25 percent Hispanic; further, at least one-half of their entire student enrollment is low-income. The impending emergence of more than 100 new HSIs, mostly in California, Texas, Florida, New Mexico, Illinois, in the next few years and the rapid growth of the Hispanic college-age population underscore the urgency for immediate, major, and sustained increases in title V funding.

At a time when the current labor force is reaching retirement age in substantial numbers, Hispanics already represent one of every three new workers joining the U.S. labor force, according to the U.S. Bureau of Labor Statistics. By 2025, the Bureau projects that one of two new workers joining the U.S. labor force will be Hispanic. This amendment would provide an additional \$6.4 million in assistance to these great institutions.

Migrant and Seasonal Head Start, MSHS, programs serve nearly 32,000 migrant children and nearly 2,500 seasonal children annually, operating in 38 States in every region of the country. Migrant and Seasonal Head Start programs were the first Head Start programs to serve infants and toddlers. today, two-thirds of the children in the program are infants and toddlers.

Migrant and Seasonal Head Start was a response to the needs of migrant families. In most States, local childcare resources are not available when migrants come into a community, especially for infants and toddlers. When resources are not available, parents have no choice but to take the children to the fields where they are exposed to pesticides, hazardous equipment, extreme heat and other health dangers. This program is ever growing and so

greater resources are needed to provide these essential services. This amendment requests an additional \$69 million for Migrant and Seasonal Head Start.

We must do everything we can to provide every child with the best education we can. I urge my fellow Senators to support these greatly needed programs by providing them with the proper resources.

Mrs. CLINTON. Mr. President, I rise today in support of the Reid Hispanic educational opportunities amendment.

My Democratic colleagues and I have held roundtables with Hispanic leaders across the Nation and members of the Congressional Hispanic Caucus that have allowed us to share ideas and develop an agenda that addresses the issues that matter most to the Hispanic community.

We know how important education is to Hispanics and will continue to ensure that it remains a top priority for the Democratic caucus.

Unfortunately, the Senate Appropriations Committee-approved bill eliminated or significantly underfunded programs with a clear record of improving educational opportunities for Hispanic children. Unless we restore and expand these funds, millions of Hispanic students will be denied the opportunity to achieve the American dream.

The fact is, Latino children are among the most educationally disadvantaged students in our Nation. They have the highest dropout rate in the entire country, the lowest college attendance rates, the lowest college graduation rates, and are more likely to attend underfunded schools in low-income areas.

Hispanic children make up 17 percent of the total school age population in the country and recent trends indicate that the number of Latino children attending our Nation's schools is increasing.

This amendment would help ensure that millions of Latino children get the quality education they need and deserve. It would restore and expand funds to programs with a proven record of improving achievement among Latinos.

New York's schools serve a large and growing number of Latino students and the rate of enrollment for limited English proficient students has grown by 44 percent since 1990.

Resources provided under title III of the NCLB help school districts in my State provide English language instruction to over 300,000 limited English proficient children and nearly 120,000 immigrant children. Yet this appropriations bill cuts title III of the NCLB by \$20 million.

Restoring this funding will help States, local schools, and colleges build their capacity to teach limited English proficient students effectively.

This appropriations bill also provides inadequate funding to serve the children of migrant and seasonal farmworkers. Often called "children of the

road," these children face many obstacles in their lives, including extreme poverty, geographic and cultural isolation, discrimination based on race or ethnic status, language minority status, and, most important, mobility.

Currently, only 664 of 1,177 eligible migrant children are being served in migrant and seasonal Head Start centers across New York.

This amendment will take an additional 150 migrant children in New York out of the fields where they are put at risk of exposure to harmful toxins and pesticides and into quality head start classrooms where they can receive the social, behavioral, and cognitive skills they need to help prepare them for school.

As they continue on their journey through the education pipeline, programs like the High School Equivalency Program, HEP, and College Assistance Migrant Program, CMP, help these students beat the odds.

The HEP and CAMP programs are both very important to New York as well as other states in the Northeast. The HEP program helps migrant students who have dropped out of high school get their GED, and CAMP assists migrant students in their first year of college with both counseling and stipends.

At the State University of New York at Oneonta, Luis Gonzalez, a New Yorker and former HEP and CAMP student will be entering as a sophomore. Luis' experience as a migrant youth is shared by countless other children of migrant and seasonal farm workers.

For Luis, it resulted in a pattern of repeating grades until he quit school to work with his father in the vineyards of Western New York. A year later, he learned about HEP and earned his GED. He then applied to college and was admitted as a freshman to SUNY last year. As a CAMP student, Luis received vital academic, social, and financial support during his first year of college, the most critical year for most first-generation college students. Luis now mentors other HEP students, is a member of the AmeriCorps program and has maintained a cumulative GPA of 3.04.

Securing additional resources for HEP and CAMP will help ensure the dreams of students like Luis become reality.

Many Hispanic students like Luis choose to move on to Hispanic serving institutions, HSIs. These schools, including New York's 12 HSIs, serve a large and growing number of Hispanic students. By supporting these institutions we are recognizing the large contribution they make to increasing access to higher education.

Failure to increase funding for these programs will not only hurt individual Hispanic children. Unless we provide Latino children today with the education they need to learn the skills necessary for a wide range of jobs, we risk having a shortage of qualified workers in the future.

We need a highly skilled workforce to compete in this global economy and investing in the education and training of our Hispanic population will help our Nation meet this challenge.

I strongly urge my colleagues to support the Hispanic educational opportunities amendment.

Mrs. MURRAY. Mr. President, I am proud to cosponsor the Hispanic educational opportunities amendment which will help address the challenges facing Hispanic students from coast to coast.

I thank Senator REID and Senator BINGAMAN for offering this amendment, and today I want to highlight how this bill will help so many people in our communities.

Just last month in Washington State, I saw once again how important education is to our entire state and especially to the Hispanic community.

On August 11, I had the opportunity to hold a day-long summit of Hispanic leaders in Yakima, WA. The turnout was overwhelming.

In one room, we brought together Hispanic elected officials from across the State, along with public and private-sector leaders, on a host of issues.

Congressman CIRO RODRIGUEZ, the chairman of our Congressional Hispanic Caucus, served as a cohost, and shared his national perspective on the issues.

We had also had international leaders, including Peruvian Consul Miguel Velasquez and Mexican Consul Jorge Madrazo.

I am especially proud that we had more than a dozen panelists who shared their expertise and led our discussion.

I publicly thank each of our panelists for their time not only at the summit, but for dedicating their lives to helping the community. Many of them had to overcome significant barriers in their own lives, and today they are working to knock down barriers for all Hispanics. Their participation that day was just one example of the leadership they show every day of the year.

Mr. President, I ask unanimous consent to print the names of the panelists in the RECORD.

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

EDUCATION PANELISTS

Miguel Puente, CAMP Director at Heritage College, Toppenish; Ricardo Sanchez, LEAP Director, Seattle; Armondo Mungia, student at Eastern Washington University, Cheney; and Elizabeth Padilla Flynn, Pasco School District.

ECONOMIC DEVELOPMENT PANELISTS

Luz Bazan Gutierrez, President & CEO, Rural Community Development Resources, Yakima; Veronica Yzquierdo, Executive Director, Pasco Downtown Development Association; Jesse Farias, Employment and Security, Wapato; and Gilberto Alaniz, State Director, Opportunities Industrialization Center.

CIVIL RIGHTS PANELISTS

Lupe Gamboa, United Farm Workers; Roberto Maestas, El Centro de La Raza, Se-

attle; Polo Aguilar, Grupo Mexico, Yakima; and Kevin Diaz, Attorney, Columbia Legal Services.

HEALTHCARE PANELISTS

Teresa Mosqueda, Sea Mar Representative, Public Health, Seattle; Kimberley Klint, Ph.D., Director of Mason Maters; Vickie Ybarra, Director Planning and Development, Yakima Farm Workers Clinic; Marisela Guzman, ConneX student, Toppenish; and Jesus Hernandez, Lead Access Coordinator/Program Manager, Community Choice, Wenatchee.

Mrs. MURRAY. I thank each of them for their leadership, and today I am on the Senate floor supporting this amendment to help carry out the agenda we discussed at the summit.

I can tell you that even though we covered a host of topics, including economic development, civil rights and healthcare, the No. 1 topic people talked about was education.

I was astounded to listen as leaders in the community, elected school board members, and city council members told me that when they were growing up, very few people, if any, looked at them and said: "You know, you can be a success. You can pass first grade." Or that, "You can go on to college, and you can become something in this country."

If we adopt this amendment, we will tell a generation of young students: We need you. We need you to be the next generation of engineers. We need you to be the next generation of teachers. We need you to be the next generation of C.E.O.s.

Today we are missing out on an entire young population, and what they can give back to this country someday in leadership, in economics, in paying taxes, and in being successful members of the community.

This amendment will help knock down the barriers facing Hispanic students, and we must adopt it.

Perhaps the most disturbing thing is that the underlying Labor-HHS bill we are debating cuts funding for critical Hispanic programs.

That is why we need this amendment to stop those cuts and provide funding for critical services like extra help with preschool, English language acquisition, tutoring, mentoring, and financial aid.

I want to highlight how this amendment will help in areas like Headstart, migrant education, and language skills.

One program that I have seen bring help—and hope—to families for decades is Head Start. This amendment will expand access to Head Start programs for migrant and seasonal working families.

Migrant and seasonal farmworkers work hard every day so that you and I can put affordable food on our tables. It is a good deal for us, but most of those families earn less than \$10,000 a year. Many of their children pay a price beyond poverty.

When families don't have access to child care, they are forced to take their children into the fields with them, exposing them to equipment and other hazards.

Migrant and Seasonal Head Start programs meet the needs of these families, keeping their children safe while preparing them for school.

Nationwide, 60 percent of children are being served by Head Start, but for migrant children, it is just 19 percent and for children of seasonal workers, it is just 2 percent. That is unacceptable.

This amendment will boost the funding so we give more children of migrant and seasonal workers a place in Head Start so they can start school ready to learn.

This amendment does more than just increase funding to serve more children. It also makes sure that vulnerable children are not cut off from the help they are counting on.

The President's budget request slashed funding for the High School Equivalency Program, HEP, by 43 percent.

The appropriations bill before the Senate implements the President's cut, with a \$10 million cut to HEP. It also cuts funding for the College Assistance Migrant Program, CAMP, by \$400,000.

The funding cuts in the HEP program would eliminate the 23 oldest and best performing projects in the program, two of which are in Washington State.

I have met with the leaders of HEP and CAMP programs in Washington state. They are doing critical work at Heritage College and Washington State University HEP programs.

HEP provides education and counseling services to migrant students who have dropped out of high school so they can pass the GED examination.

Some of the 23 projects that could be closed down have been providing services for 30 years.

As a whole, 73 percent of their students received GEDs, an amazing success rate for a population of students who have already dropped out of school.

The CAMP program is also critical. It recruits talented migrant high school and GED graduates, who want to go on to college, but don't have the resources. These programs introduce parents and students to campus during the summer before their freshman year. It helps those students in their first year of college with personal and academic counseling, mentoring, and stipends.

Before we created CAMP programs, there was no record of a migrant child having completed college.

Since then, nearly three-quarters of all CAMP students have graduated with baccalaureate degrees. Without HEP and CAMP, access to college would be out of reach for the vast majority of migrant students.

The funding levels in this bill ignore the amazing successes we have had through HEP and CAMP.

Because migrant children move around, they don't have a local school, a school district, or even a State that is responsible for their education. We need to keep this safety net at the Federal level.

Currently, funding for the 102 HEP and CAMP projects can serve only 15,000 students, a small fraction of those who desperately need help. The Department of Education has estimated there are now over 750,000 school-aged migrant children.

Since migrant children have the highest dropout rate in the Nation, with nearly 60 percent failing to complete high school, that means that over the next 5 years, 170,000 of these children will drop out of school and be eligible for HEP services.

Over the next 5 years, 140,000 students will become eligible for CAMP services.

It makes no sense for this bill to take away funding when so many students need help.

Another area where our country cannot afford to make the cuts in this appropriations bill is in the English Language Acquisition program. This bill cuts the program by \$20 million. That is unacceptable.

This amendment would restore that funding.

It will also increase support for limited English proficient, LEP, students to \$750 million.

The number of LEP students has almost doubled over the past decade. It has increased at nearly eight times the rate of total student enrollment. The teachers who are serving those students could use more preparation to teach students with limited English proficiency.

This amendment will help provide title III dollars so that these teachers can receive ongoing professional development.

The Reid-Bingaman amendment will help students overcome barriers at almost every level of school.

Congress has a proud tradition of ensuring that our most disadvantaged kids get a shot at the American dream. It is what we did when we passed title I of the Elementary and Secondary Education Act. It is what we did when we created Head Start. And it is what we did when we started giving out Pell Grants.

We need to carry on that tradition today, not out of charity, but because we recognize that these children are our bridge to a successful future.

I urge my colleagues to vote for this amendment and give Hispanic students in Washington State and around the country a change at the American dream and a better life.

AMENDMENT NO. 1629

Mr. MCCAIN. Mr. President, I rise today with my friend from Indiana to offer an amendment to the fiscal year 2004 Labor-HHS Appropriations Act. I would like to thank Senator SPECTER and Senator HARKIN for their support for this amendment.

I usually come down to the Senate floor to criticize the amount of unrequested spending in appropriations bills. Not often do I propose an increase in spending for a specific program. However, today, I feel obligated to

offer an amendment to increase the level of funding for the Special Volunteers for Homeland Security program with the Corporation for National and Community Service. I am requesting that we raise our level of funding by \$5 million, to bring the total level of funding to \$10 million, which is what the program was funded at last year. The administration requested a total of \$15 million for this program this year. We are simply proposing to restore one half of the additional money the President requested. This issue is of enough importance to the administration as it was included in their Statement of Administrative Policy.

The amendment Senator BAYH and I propose restores important money to the Special Volunteers for Homeland Security program, a critical component on national service. This amendment increases the funding for this program by \$5 million to be more in line with the amount requested in the President's 2004 Budget.

We live in a time of heightened security where terror alerts have become an unfortunate reality. It is sobering to realize that the chances are strong that we will face another terrorist attack in the future. In addition to devoting considerable resources to fighting terror at home and abroad, we need to devote significant resources to preparing our domestic response to any future attack. We would be failing in our responsibilities if we do not adequately prepare for the next attack. The realities of the world in which we live today, require us to educate and prepare the public about terrorism and disasters. These volunteers are an extremely effective way to achieve our mission. We need to be fully funding these programs.

For a number of years, Senator BAYH and I have been working together to increase opportunities for service in the United States. We have introduced legislation, the Call to Service Act, in the last two Congresses that would increase volunteer opportunities with AmeriCorps. We have also worked together successfully to create a short-term enlistment program for our military. One of the fundamental aspects to any expansion of service opportunities must be to increase the number of volunteers in homeland security projects. Our legislation specifically calls for more volunteers to perform homeland security function. Service programs such as the one in this amendment provide an important resources in preparing our Nation to respond to a range of emergencies by providing people who can serve in important capacities such as fighting forest fires, disaster relief, and working in hospital emergency rooms.

I would like to share some examples of the works these volunteers do in the various states and country. Currently, there are 17 programs that received money during the second year of this program. The grantees are a diverse group and are spread across the country from Alaska to Florida. Important

groups such as Volunteer Florida, the American Red Cross of Greater New York and the Housing Authority of the City of Milwaukee are all grantees under this program.

In the first year of the program, 350 volunteers with the Municipality of Anchorage, Alaska were able to deliver training to help homebound seniors and help 4,500 disabled residents of Anchorage prepare to respond to a disaster.

In Oklahoma, volunteers with the city of Tulsa developed a citywide volunteer disaster mobilization plan. Volunteers helped to educate the general public by distributing a family preparedness guide provided with information how to prepare for disasters. The volunteers convened meetings that included information on bioterrorism response by local health departments and established safe and secure teams throughout the community to serve as trained resources.

I could go on at length about the good things these programs accomplish.

Increasing the Special Volunteers for Homeland Security program is consistent with our overall need to increase opportunities for Americans to serve their country. We need to increase spending for funding for all volunteer programs. Internationally, increasing programs such as the Peace Corps are important in spreading American ideals and values. Domestically, programs such as AmeriCorps need to be expanded to provide services and assistance to those in need. Any expansion of AmeriCorps and domestic volunteer opportunities would be an excellent opportunity to increase volunteer positions in the area of homeland security.

Once again, I thank my colleagues from Pennsylvania and Iowa for their work on this important piece of legislation. I look forward to continuing my work with Senator BAYH and the rest of my colleagues in the Senate to increase national service opportunities.

AMENDMENT NO. 1644

Mr. BYRD. Mr. President, it was 35 years ago, at 5:30 a.m. on November 20, 1968, that a gas and dust explosion occurred at Consul No. 9 coal mine near Farmington WV. The force of the explosion rippled through the west side of the mine, igniting mine fires and additional explosions, blocking exits and shutting down escape routes. Large amounts of smoke, varying in color from black, gray, white, and yellow exhausted from the air shafts, with major explosions shooting flames over 100 feet into the air. After 10 days, the search and rescue operation was halted and the air shafts were sealed to put out the underground fires. Of the 99 miners underground at the time of the blast, the explosion took the lives of 78 coal miners, 19 of whom are still entombed underground.

In response, the Congress passed the most comprehensive mine health and safety legislation to date—the 1969

Mine Act. The anguish caused by the Farmington disaster was expressed in the statement of findings and purpose of that legislation:

... the first priority and concern of all in the coal mining industry must be the health and safety of its most precious resource—the miner.

In addition to a comprehensive safety enforcement regime, the 1969 Mine Act mandated limits on the coal dust levels to which miners could be exposed. The Congress' goal was to protect miners from Coal Workers' Pneumoconiosis, or Black Lung—a disease that results from coal dust particles accumulating in the lungs, scarring the tissue. It is a progressive, terminal disease that is irreversible.

It is not known how many miners died from black lung disease prior to 1969, but since that time, even with the stricter standards mandated by Congress, over 106,000 miners have been diagnosed with the disease, with the Federal Government receiving 5,000 new claims for black lung benefits each year.

Last March, the Mine Safety and Health Administration proposed new rules to implement the 1969 Mine Act with regard to coal dust levels, and the outcry in opposition to those rules was almost deafening. Newspapers from *The Courier-Journal* and *Lexington Herald of Kentucky*, to *The Charleston Gazette of West Virginia* have described these rules as

impractical . . . ill-advised . . . [an] assault on workers' health and safety . . . a campaign that would bring back black lung.

Rallies have been organized in Pennsylvania and West Virginia—all in opposition to what experts describe as a roll back in the protections mandated by Congress in 1969 to prevent black lung.

These are seriously flawed rules that would undercut long-running efforts to improve the working conditions of our nation's miners. Under the proposed rules, the levels of coal mine dust permitted in the mine environment reportedly would increase well beyond what was mandated in the 1969 Mine Act. That is a giant leap backward in the nation's work to protect the health of miners.

And these proposed rules constitute only one in a series of proposals by the Mine Safety and Health Administration that are serving to erode the trust of miners in the one agency of the Federal Government charged with protecting their health and safety.

Last January, an air shaft explosion killed three workers at the McElroy Mine in Cameron, WV. Later it was determined that MSHA had failed to properly inspect that mine. One news journal reported that, according to MSHA records, between December 2001 and January 2003, when the McElroy mine should have had six surface inspections, it had been inspected only once—just once.

While this administration touts a low coal mine fatality rate as proof of

MSHA's effectiveness, it ignores a series of accidents and near-fatalities that have occurred since last year in Kentucky, Illinois, Pennsylvania, and West Virginia. Last year's QueCreek accident alone endangered 18 miners, and, had it swung the other way, which it easily could have, the rate of recorded fatalities would have increased.

This year's fatality rate continues to move higher, with 10 fatalities recorded in the last 3 months in Virginia, Kentucky, Indiana, Alabama, Pennsylvania, and West Virginia. And now MSHA has proposed a rule to scale back protections against black lung.

In doing so, MSHA is undermining its own credibility. Contrary to past years, miners now view MSHA as an extension of an administration that does not understand the dangers which coal miners must confront every day. That is the only way to explain how MSHA can support a coal enforcement budget that clearly does not provide MSHA with the resources it needs to properly inspect our nation's mines. That is the only way to explain why MSHA would propose a rule that rolls back miner protections against black lung.

And to make matters worse, the media reports that a conflict of interest may have existed when those rules were developed and proposed earlier this year. The *Charleston Gazette* reported last May that MSHA Secretary David Lauriski, on several occasions, petitioned MSHA to make the same change in its rules that he is now advocating when he was a lobbyist for Energy West. The Inspector General of the Labor Department has already been asked to investigate this conflict of interest.

At the very least, there is something highly questionable about how these rules were developed and what effect they will have on the miners of our states. The Congress has a responsibility to our nation's coal miners to seek certain assurances from the Federal regulators before these rules are put into place. We have a duty to our constituents to ensure that rule changes such as these are implemented appropriately.

I had intended to offer an amendment to prevent the implementation of the dust rules proposed by MSHA, until the Congress could be sure of their consequences. After discussing this matter with Senator SPECTER, the National Mining Association, and the United Mine Workers, I have decided not to offer that amendment for the time being.

Instead, I will support the amendment offered by Senator SPECTER, which would require the Labor Secretary to report a new rule that incorporates the use of real-time dust monitors, assuming that those monitors are tested successfully in the coming months.

However, it is important that the Mine Safety and Health Administration understand that this language is

binding. It must issue a new rule if the personal dust monitoring devices prove successful. And I hope that they understand that the miners of our States and their representatives in the Congress will be watching, and that we will continue to oppose any effort to circumvent the 1969 Mine Act with regard to dust levels.

I urge Senators to take this opportunity to improve the credibility of the Mine Safety and Health Administration. I urge Senators to recall the findings of the Congress that were contained in the 1969 Mine Act:

The first priority and concern of all in the coal mining industry must be the health and safety of its most precious resource—the miner.

Mr. KENNEDY. It is a privilege to join Senator BYRD and Senator SPECTER on this amendment to increase health and safety protections for the Nation's coal miners.

Coal mining is difficult and dangerous work. Miners daily face the risk of mine collapse, mine fires, and the debilitating illness called black lung disease. Each year, over 4,000 coal miners lose time at work because of injuries on the job. We all remember the near-tragedy last summer at Quecreek Mine in Pennsylvania, when nine miners were trapped underground for 3 days. Miraculously, they were rescued but many other miners are not so fortunate.

Congress passed the Federal Mine Safety and Health Act in 1969 to protect miners from these hazards. One of the most critical parts of the Mine Safety Act is its requirement that mine operators reduce and control the level of dust that miners inhale during their shifts.

Since then, we have made great progress in reducing the number of cases of black lung, but this battle is far from over. Over 100,000 former miners and their dependents are receiving Federal benefits today because they or their family members have had black lung. Each year, more than 1,000 workers die from the disease—and hundreds of new cases of black lung are reported each year.

This amendment deals with MSHA's proposed regulations on dust levels and dust monitoring. Many of us are deeply troubled by the administration's proposal. The proposed regulation reduces the protections of the Mine Safety Act. It would allow coal mine operators to raise dust levels up to four times the amount now permitted by the act. It would also reduce the number of samples taken in mines to measure coal dust exposure.

It makes no sense to roll back the current protections. Instead of increasing the number of inspections and tightening the dust standard, the administration's regulation would allow coal mines to raise the amount of dust miners are exposed to. The new regulation directly contradicts the recommendations of the National Institute for Occupational Safety and

Health, under which the permitted level of coal dust would be cut in half.

Senator BYRD and Senator SPECTER have proposed this amendment to require MSHA to consider incorporating the new Personal Dust Monitor technology, once testing is completed. This amendment is supported by both the coal mining industry and by the United Mineworkers.

These Personal Dust Monitors have been developed in conjunction with labor and industry. They would be worn by individual miners at all times and could measure more accurately than any existing technology how much coal dust each miner is exposed to.

MSHA itself has acknowledged the role of Dust Monitors in miner safety. It has extended the current rulemaking period in order to include comments based upon Dust Monitor testing. This amendment would go one step further, by requiring MSHA to consider repropounding the rule to incorporate Personal Dust Monitors as part of the required safeguards in the Nation's mines.

Incorporating these technological advances into the rules on coal dust monitoring is a very important step. The Nation's miners risk their lives every day to provide critical domestic sources of energy, and we need to do all we can to protect their lives and health.

I strongly urge my colleagues to support this amendment to use all available technologies to protect the Nation's hard-working coal miners.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

AMENDMENT NO. 1645

Mr. HARKIN. Mr. President, I ask the indulgence of the Senate for a brief statement I am going to make.

As we all know, Senator Paul Wellstone, his wife Sheila, and his daughter Marcia, three staff members, and two pilots perished in a tragic plane accident nearly a year ago near Eveleth, MN. The Senate lost an honest, passionate public servant, and we all lost a friend.

Senator Wellstone's life was a testament to his compassion and commitment to serve the less advantaged. He was a tireless advocate for people in need. That was never more true than when he began working with children with Duchenne muscular dystrophy and their families.

In 2001, Senator Wellstone introduced the Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2001 to intensify Federal investment in Duchenne and other forms of muscular dystrophy. The MD CARE Act asked the Director of the National Institutes of Health to create centers of excellence to conduct basic and clinical research into Duchenne and other muscular dystrophies. That bill was signed into law in December of 2001. About a year later, Senator Wellstone was tragically killed.

While we cannot replace the colleague and friend who served with us in

this Chamber, we can commemorate his work on behalf of Jacob Gunvalson and others who inspired the late Senator to see this law enacted. In September of this year, the National Institutes of Health will announce the first grantees of its newly created Muscular Dystrophy Cooperative Research Centers Program.

In addition, three NIH institutes—the National Institute of Arthritis and Musculoskeletal Diseases, the National Institute of Neurological Disorders and Stroke, and the National Institute of Child Health and Human Development—also set aside \$1 million in the MDCRC program as the "Senator Paul D. Wellstone Muscular Dystrophy Cooperative Research Centers."

I have an amendment that would rename the NIH Muscular Dystrophy Cooperative Research Center program in honor of the late Senator Paul D. Wellstone of Minnesota. I will not read all of it. In part, it says that the designation of the NIH Muscular Dystrophy Cooperative Research Centers program shall be known and designated as the "Senator Paul D. Wellstone Muscular Dystrophy Cooperative Research Centers" in honor of Paul D. Wellstone, who was deceased on October 25, 2002. There is no cost involved.

I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN] proposes an amendment numbered 1645.

Mr. HARKIN. I ask unanimous consent that further reading of the amendment be dispensed with.

The amendment is as follows:

(Purpose: To rename the NIH Muscular Dystrophy Cooperative Research Center (MDCRC) program in honor of the late Senator Paul D. Wellstone of Minnesota)

Add at the appropriate place:

SECTION 1. DESIGNATION OF SENATOR PAUL D. WELLSTONE NIH MDCRC PROGRAM

(a) FINDINGS.—Congress finds the following:

(1) On December 18, 2001, Public Law 107-84, otherwise known as the Muscular Dystrophy Community Assistance, Research and Education Amendments of 2001, or the MD CARE Act, was signed into law to provide for research and education with respect to various forms of muscular dystrophy, including Dechenne, Becker, limb girdle, congenital, facioscapulohumeral, myotonic, oculopharyngeal, distal, and EmeryDreifuss muscular dystrophies.

(2) In response to the MD CARE Act of 2001, in September 2002, NIH announced its intention to direct \$22.5 million over five years to its newly created Muscular Dystrophy Cooperative Research Centers (MDCRC) program.

(3) Senator Paul D. Wellstone was a driving force behind enactment of the MD CARE Act, which led to the establishment of the MDCRC program.

(b) DESIGNATION.—The NIH Muscular Dystrophy Cooperative Research Centers (MDCRC) program shall be known and designated as the "Senator Paul D. Wellstone Muscular Dystrophy Cooperative Research Centers," in honor of Senator Paul D. Wellstone who was deceased on October 25, 2002.

(c) REFERENCES.—Any reference in a law, regulation, document.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I thank the Senator from Iowa for what he has done. I am delighted to join him in sponsoring the amendment to name the Muscular Dystrophy Operative Research Center after Senator Wellstone. Senator Wellstone attended many of our appropriations subcommittee hearings on neurological disorders and was a tireless advocate for medical research regarding the cause of muscular dystrophy. He was the original sponsor of the Muscular Dystrophy Care Act of 2001. This was the first disease-specific piece of legislation in the 107th Congress, the first major piece of health care legislation signed by President George Bush, and the first piece of legislation to ever address a very lethal childhood disorder.

Just a few weeks before he died, Senator Wellstone visited a little boy named Jacob who was afflicted with muscular dystrophy. He and Jacob made some television ads, which sadly didn't air because of Senator Wellstone's tragic death. Senator Wellstone made a difference in the lives of thousands of children afflicted with this deadly disease. He leaves a legacy of unprecedented Federal commitment to muscular dystrophy research and development. I have no doubt that someday soon we will win the fight against muscular dystrophy because of Paul Wellstone's work.

Mr. President, I yield to my distinguished colleague from Pennsylvania, Senator SANTORUM.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. REID. Will the Senator withhold?

Mr. SANTORUM. I will be happy to withhold.

The PRESIDING OFFICER. Is there further debate on amendment No. 1645? If not, the question is on agreeing to the amendment.

The amendment (No. 1645) was agreed to.

The PRESIDING OFFICER. The Senator from Pennsylvania.

AMENDMENT NO. 1623

Mr. SANTORUM. Mr. President, earlier today, I offered an amendment to increase the amount of money in the Aid for Africa Program to the number that met the authorization level this Senate passed just a couple months ago. It was an additional \$350 million which would be needed to do the \$2 billion in bilateral aid to which we committed, plus the \$400 million we would need to match roughly \$700 million plus that has now been put forward by other countries for the Global Fund.

This bill is, in combination with the foreign operations bill, \$350 million short for what I believe is the most important health crisis facing the world and one I would argue is, as far as dollars spent, going to save more lives and improve the quality of life for more

people than probably any other single dollar item we are doing in this bill.

I believe this is the highest priority. That is why I was willing to offer an amendment to fund this program fully and to do so with an across-the-board cut. Having seen the success of an across-the-board cut in a previous amendment, I have not been necessarily encouraged by my colleagues to continue this effort.

I thank the Senator from Pennsylvania, my colleague, in sharpening his pencil to come up with enough money to at least meet the President's request on his program, which is an additional \$61 million. It is an amendment Senator DEWINE offered earlier for mother-to-child transmission and for non-mother-to-child transmission.

Senator DEWINE has been doing some great work, along, I understand now, with Senator DURBIN, to come up with this money.

In exchange for the acceptance of that amendment by the managers, I am going to withhold my amendment. I yield to the Senator from Ohio to explain what his amendment does.

Mr. DEWINE. I thank my colleague from Pennsylvania. I also thank my other colleague from Pennsylvania, the chairman of the committee, for his good work on this bill and for his willingness to work with us on this very important issue.

I know the hour is late, Mr. President. I am just going to take literally 2 minutes to explain this amendment. I will offer the amendment and then I believe the amendment will be accepted.

This amendment is very simple. What it does is it will restore the money to this bill the President has requested this Congress to provide for a program that literally will save tens of thousands, maybe hundreds of thousands, of lives of innocent children. We have the ability today to see a pregnant mother who is HIV positive and to provide her with the care and the drugs to ensure she will not give birth to a child who is HIV positive.

The statistics are very simple and the facts are very simple. If a woman today is pregnant and is HIV positive, the odds are—the percentage is about 30 percent—she will give birth to a child who is HIV positive. In sub-Saharan Africa or in Haiti or in Guyana, there are programs today that will reduce those odds from 30 percent down to 5 or 10 percent for as little as \$3 to \$4 per woman. That is not per day. That is per woman per child. It is almost a miracle.

My colleague in the Chair and other Members of the Senate who just came back from a trip, led by Majority Leader BILL FRIST, to Africa saw these programs in place. They work. What this extra \$60 million will do is to help ensure there will be tens of thousands of more children who will be born HIV negative.

I thank my chairman for allowing this money to come into the bill.

I call up my amendment on behalf of Senator SANTORUM and Senator DURBIN, who went to bat, as he has many times in the past, for children and those who are HIV positive and who might be HIV positive. I thank Senator DURBIN and Senator SANTORUM. I now call up my amendment No. 1623.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Ohio [Mr. DEWINE], for himself, Mr. SANTORUM, and Mr. DURBIN, proposes an amendment numbered 1623 to amendment No. 1542.

Mr. DEWINE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase funding for activities to prevent the mother-to-child transmission of HIV)

On page 61, between lines 14 and 15, insert the following:

SEC. ____ (a) MOTHER-TO-CHILD HIV TRANSMISSION PREVENTION.—In addition to any amounts otherwise made available under this Act to carry out mother-to-child HIV transmission prevention activities, there shall be made available an additional \$60,000,000 to carry out such activities and \$1,000,000 for non-mother-to-child activities.

(b) REDUCTION IN AMOUNTS.—Amounts made available under this Act for the administrative and related expenses for departmental management for the Department of Labor, the Department of Health and Human Services, the Department of Education, shall be reduced on a pro rata basis by \$61,000,000.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I congratulate the Senator from Ohio for his outstanding work. I congratulate my colleague from Pennsylvania for his contribution. The Senator from Ohio only talked to me about this amendment about 79 times during the course of the last 2 days. To say that he was persistent would be a vast understatement.

We are prepared to accept this \$61 million for the global AIDS for the CDC, of which \$60 million is for the mother-to-child transmission prevention initiative and \$1 million is for other global AIDS activities. This offset will be made from the administrative costs of the Departments of Labor, Health and Human Services, and Education.

During the course of the debate, we have had a great many AIDS amendments offered, and we wish we could have accepted more of them. But this particular one is very precisely targeted. I know the Senator from Ohio just came back from Africa and feels very deeply about this issue.

We are pleased to accept this amendment, with our compliments to the Senator from Ohio, Mr. DEWINE, the Senator from Pennsylvania, Mr. SANTORUM, and the Senator from Illinois, Mr. DURBIN.

I yield the floor.

The PRESIDING OFFICER. Is there further debate? The Senator from Iowa.

Mr. HARKIN. Mr. President, I have no objection to this amendment. In fact, I am supportive of it. I want to make it clear for the record that the offset on this amendment is not an across-the-board cut. It comes only from the administrative account of the—is it all the Departments, the Departments of Labor, Health and Human Services, and Education—or is it just from the Department of Health and Human Services? I am a little unclear as to from what administrative account it is taken. I want it clear for the record. I just want to get an answer to my question as to which administrative account the offset is taken.

Mr. DEWINE. The Senator is correct, it is not an across-the-board cut.

Mr. HARKIN. I understand it is not an across-the-board cut. Is it from the administrative account of all three Departments or only Health and Human Services?

Mr. SPECTER. It is from all three.

Mr. DEWINE. I can check the exact language of the amendment. Departments of Labor, Health and Human Services, and Education.

Mr. HARKIN. Pardon?

Mr. DEWINE. Labor, Health and Human Services, and Education.

Mr. HARKIN. So it comes from all three accounts. Again, I just wanted to make that clear for the record, that it is not from one account; it is all three, and it is not an across-the-board cut.

With that, there is certainly no objection to this amendment.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, have we adopted the DeWine amendment?

The PRESIDING OFFICER. We have not. Is there further debate?

Mr. SPECTER. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1623.

The amendment (No. 1623) was agreed to.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I now call up amendment 1542.

The PRESIDING OFFICER. The substitute is pending and one amendment is pending to the substitute.

AMENDMENT NO. 1561 WITHDRAWN

Mr. SPECTER. Mr. President, I withdraw the pending amendment, DeWine.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The amendment is withdrawn. The Senator from Pennsylvania.

AMENDMENT NO. 1542

Mr. SPECTER. Mr. President, I now call up amendment No. 1542.

The PRESIDING OFFICER. The amendment is pending.

Mr. SPECTER. This amendment is to strike all after the enacting clause and insert the following, which is the text of the amendments.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1542, as amended.

The amendment (No. 1542), as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read a third time.

CLOSE UP FOUNDATION FELLOWSHIPS

Ms. LANDRIEU. Mr. President, it is almost like the change of season around the Capitol when young people from all over the country descend on the Capitol to learn about their Government. We all meet with groups of these students from our State. We take photos, we answer questions. But if you take the time to look at the badges the students and teachers are wearing, more likely than not, they will say Close Up.

Like thousands of young people around this Nation, I got my first real taste of our Federal Government from a trip sponsored by the Close Up Foundation. Since 1972, more than 26,000 students from my State have learned about their Government through the auspices of this organization. Close Up has awarded some \$3.7 million in fellowships for students in need and their teachers to encourage the broadest base of possible participation. Furthermore, this program was started by a legendary member of this body, who also hailed from Louisiana—Allen Ellender.

Moreover, there has never been a greater need than now for young people to understand what our Democracy is all about. As we face enormous challenges at home and abroad, the better understanding our young people have about their Government, the brighter our future will be.

Sadly, Mr. President, the Close Up Foundation, which has enjoyed the support of the Senate for several decades, did not receive any resources in this bill. They are seeking funding of \$1.4 million, an amount equal to last year's level. I would ask my friend, the Senior Senator from Pennsylvania, and chairman of the Labor, Health and Human Services Subcommittee, if he is aware of the precarious situation of this program, and if he would be willing to work with me to find additional resources during the conference process.

Mr. SPECTER. Mr. President, I thank the junior Senator from Louisiana for bringing this important issue to the subcommittee's attention. I believe that Close Up makes a vital contribution to civic education, and would not want to see the program fail. I say to my friend from Louisiana, that I will be pleased to work with her during conference to see if we can find the necessary funding to meet Close Up's needs.

Mr. HARKIN. I thank my good friend and colleague from Louisiana for bringing up this important issue. I know my partner in this process, Senator SPECTER, worked hard to fund many priorities within a tight alloca-

tion. I look forward to working with him on this and other important programs in conference.

PEDIATRIC GRADUATE MEDICAL EDUCATION

Mr. DEWINE. Mr. President, I thank my colleague, Senator SPECTER, for all of the work he has put into drafting and shepherding the Fiscal Year 2004 Labor-Health and Human Services-Education appropriations bill. His leadership and his efforts should be commended.

Last week, I offered an amendment in support of our Nation's children's hospitals. My amendment would equalize the funding that children's hospitals receive compared to adult hospitals. Specifically, the amendment would provide an additional \$15 million to fund the pediatric Graduate Medical Education program at \$305 million. These monies are used by children's hospitals across the country to hire and retain residents who are interested in pediatric research and in becoming pediatricians.

I ask my colleague, the Senior Senator from Pennsylvania, if he supports our Nation's children's hospitals and the Graduate Medical Education program?

Mr. SPECTER. I thank my colleague, Senator DEWINE. I strongly support our Nation's children's hospitals and the pediatric Graduate Medical Education program.

Mr. DEWINE. Children's hospitals train almost 30 percent of all pediatricians and half of all pediatric specialists. They also provide more than 40 percent of the hospital care in this country for children needing cardiac surgery, children suffering with cancer, and children with cerebral palsy.

Mr. HARKIN. I agree with my colleague about the valuable role of children's hospitals in providing pediatric care and research.

Mr. DEWINE. The House included \$305 million in its Fiscal Year 2004 Labor-Health and Human Services-Education bill. I have agreed to withdraw my amendment, but I urge the senior Senator from Pennsylvania to continue working to provide in conference the most funding possible for the Graduate Medical Education program.

Mr. SPECTER. I will do all that I can to see to it that the GME program is funded at the highest level possible in conference.

Mr. HARKIN. I concur with the chairman, and will strongly support the GME program.

CENTERS FOR CHILDREN'S ENVIRONMENTAL HEALTH AND DISEASE PREVENTION RESEARCH

Mr. SPECTER. I am glad to join Senator HARKIN in confirming our intent that funding in the Labor-HHS appropriations bill be used in part to continue funding 12 Centers for Children's Environmental Health and Disease Prevention Research. These centers were established through a joint initiative of the Environmental Protection Agency and the National Institute of Environmental Health Sciences, and combine a new, unique, multidisciplinary

approach to researching, identifying, treating, and ultimately preventing health risks posed to children by environmental hazards in the communities in which they live, play and attend school. As you know, we do not earmark NIH.

I ask Senator CLINTON, how much does NIEHS provide in funding for the centers?

Mrs. CLINTON. NIEHS has provided \$750,000 per center, for a total of \$9 million per year to provide for direct and overhead costs that the centers incur. I hope that EPA will also continue to hold up its end of the funding to continue funding 12 centers. I thank Senators SPECTER and HARKIN for their continued support of the centers, which are directly in line with our shared goal of addressing environmental factors that may cause or contribute to childhood illnesses such as asthma, or that can interfere in the proper growth and development of our Nation's children.

Mr. HARKIN. I am glad to join my colleagues in support of the important work that the Centers for Children's Environmental Health and Disease Prevention Research perform. The research and outreach that these centers initiate is unparalleled. The centers have not only begun important studies into the potential impact of our environment on children's health, but have also cultivated invaluable relationships with their surrounding communities. Continued funding for these 12 centers will allow high-quality research involving local communities in a collaborative process to continue and result in the most effective translation of research into methods of prevention.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES CHARGE TO CONDUCT BASIC BEHAVIORAL RESEARCH

Mr. INOUE. Will the chairman of the subcommittee yield for a question?

Mr. SPECTER. I will be pleased to yield for a question from the Senator from Hawaii.

Mr. INOUE. First, I would like to compliment the chairman and the ranking member, Senator HARKIN, for their leadership in developing an excellent bill for consideration by the Senate. As a member of the Labor, Health and Human Services and Education Subcommittee for many years I understand the challenge faced by the subcommittee each year in developing a bill that adequately funds all the outstanding programs in the jurisdiction of this subcommittee. The chairman and the ranking member have done an admirable job and they set a fine example of working in a bipartisan manner to meet the health, education and workforces priorities of the Nation. I would also compliment the dedicated staff who support this effort. We would not have such good bills for the Nation without their counsel and hard work.

Mr. Chairman, I come to the floor today to highlight one NIH-related matter that despite our best efforts remains largely unresolved. This year

again the Committee's report urges the National Institute of General Medical Sciences to fund basic behavioral research. The Committee report states the following:

Behavioral Research.—The Committee believes that NIGMS has a scientific mandate to support basic behavioral research because of the clear relevance of fundamental behavioral factors to a variety of diseases and health conditions. The Committee encourages the NIGMS to incorporate basic behavioral research as part of its portfolio, especially in the areas of cognition, behavioral neuroscience, behavioral genetics, psychophysiology, methodology and evaluation, and experimental psychology.

This is excellent language. The Committee has had similar language in fiscal years 1999, 2000, 2001, 2002 and 2003, but little has yet been done to implement the Committee's recommendation.

Mr. President, I ask unanimous consent that the Committee's NIGMS report language from fiscal years 1999, 2000, 2001, 2002 and 2003 be printed in the RECORD at the conclusion of our remarks.

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

(See exhibit 1.)

Mr. INOUE. Mr. President, I also ask unanimous consent that the NIGMS statute, which states in Public Law that one of the purposes of NIGMS is to conduct and support behavioral research, be printed in the RECORD at the conclusion of our remarks.

The PRESIDING OFFICER. Without objection it is so ordered.

(See exhibit 2.)

Mr. INOUE. Would the chairman and ranking member join me in helping ensure that the NIH complies with the wishes of the subcommittee on this matter?

Mr. SPECTER. Mr. President, I thank my esteemed colleague, the Senator from Hawaii, for bringing this matter to our attention and I look forward to working with him and the NIH to resolve this matter. This subcommittee has successfully doubled the NIH budget over the last 5 years. Thus this speaks to this subcommittee's commitment to all types of scientific health research, including behavioral health.

Basic behavioral research is essential if we are to successfully address the many public health issues plaguing our Nation. Since September 11, 2001, the psychological and physiological effects of terrorism and stress became real to all Americans across this great Nation. It is imperative that we, as a nation, better understand the psychological effects of sustained stress and the role of the behavioral health sciences in the prevention and treatment of the leading causes or morbidity and mortality. The leading causes of death and chronic illness are related to high risk behaviors such as: unintentional injuries and violence, tobacco use, alcohol and drug use, dietary behaviors, sexual behaviors, and inactivity. I am committed to working with you and Sen-

ator HARKIN to help ensure that NIH understands the wishes of this Subcommittee.

Mr. HARKIN. Will the Chairman yield for a comment?

Mr. SPECTER. I yield to my distinguished colleague and ranking member of this subcommittee, the distinguished Senator from Iowa.

Mr. HARKIN. I thank the Senator. Mr. President, I echo the sentiments of the Senator from Hawaii and the chairman of this subcommittee. The significance of behavioral health research has never been as important as it is now. The interrelationship between behavioral health research and the health of the people of this Nation is clear. I stand behind with our Chairman, the Senator from Pennsylvania, and the Senator from Hawaii to work with NIH to address the requests of this subcommittee.

EXHIBIT 1

SENATE REPORT—LABOR, HEALTH AND HUMAN SERVICES AND EDUCATION APPROPRIATIONS
NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

Fiscal year 1999 (S. Rept. 105-300)

Behavioral science research and training.—The Committee encourages NIGMS to support basic research training as part of its mandate to support basic research training in all areas of health-related research.

Fiscal year 2000 (S. Rept. 106-166)

Behavioral science research and training.—The Committee is concerned that NIGMS does not support behavioral science research or training. As the only national institute specifically mandated to support research not targeted to specific diseases or disorders, there is a range of basic behavioral research and training that NIGMS could be supporting. The Committee urges NIGMS, in consultation with the Office of Behavioral and Social Sciences, to behavioral science research community and other national institutes and offices, to identify basic behavioral science research and training priorities and to develop a plan for implementing those priorities. (p. 134-5)

Fiscal year 2001 (S. Rept. 106-293)

Behavioral science research and training.—The Committee is concerned that NIGMS does not support behavioral science research training. As the only Institute mandated to support research not targeted to specific diseases or disorders, there is a range of basic behavioral research and training that NIGMS could be supporting. The Committee urges NIGMS, in consultation with the Office of Behavioral and Social Sciences, to develop a plan for pursuing the most promising research topics in this area.

Fiscal year 2002 (S. Rept. 107-84)

Behavioral science research and training.—The Committee is concerned that NIGMS does not support behavioral science research training. As the only Institute mandated to support research not targeted to specific diseases or disorders, there is a range of basic behavioral research and training that NIGMS could be supporting. The Committee urges NIGMS, in consultation with the Office of Behavioral and Social Sciences, to develop a plan for pursuing the most promising research topics in this area.

Fiscal year 2003 (S. Rept. 107-216)

Behavioral science research and training.—As the NIH institute most concerned with basic research, the NIGMS has provided leadership in basic research on physiological and

biological structures and functions that may play roles in numerous health conditions. The Committee encourages the NIGMS to develop collaborations with other Institutes, such as the NCI and the NIMH, and the Office of Behavioral and Social Sciences Research to fund basic research to integrate physiological knowledge of pre-disease pathways with behavioral studies.

EXHIBIT 2

Public Law 87-838—Oct. 17, 1962

AN ACT To amend the Public Health Service Act to provide for the establishment of an Institute of Child Health and Human Development, to extend for three additional years the authorization for grants for the construction of facilities for research in the sciences related to health, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title IV of the Public Health Service Act (42 U.S.C., ch. 6A, subch. III) is amended by adding at the end thereof the following new part:

“PART E—INSTITUTES OF CHILD HEALTH AND HUMAN DEVELOPMENT AND OF GENERAL MEDICAL SCIENCES

“ESTABLISHMENT OF INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

“SEC. 441. The Surgeon General is authorized, with the approval of the Secretary, to establish in the Public Health Service an institute for the conduct and support of research and training relating to maternal health, child health, and human development, including research and training in the special health problems and requirements of mothers and children and in the basic sciences relating to the processes of human growth and development, including prenatal development.

“ESTABLISHMENT OF INSTITUTE OF GENERAL MEDICAL SCIENCES

“SEC. 442. The Surgeon General is authorized, with the approval of the Secretary, to establish in the Public Health Service an institute for the conduct and support of research and research training in the general or basic medical sciences and related natural or behavioral sciences which have significance for two or more other institutes, or are outside the general area of responsibility of any other institute, established under or by this Act.

“ESTABLISHMENT OF ADVISORY COUNCILS

“SEC. 443. (a) The Surgeon General is authorized, with the approval of the Secretary, to establish an advisory council to advise, consult with, and make recommendations to the Surgeon General on matters relating to the activities of the institute established under section 441. He may also, with such approval, establish such a council with respect to the activities of the institute established under section 442.

“(b) The provisions relating to the composition, terms of office of members, and reappointment of members of advisory councils under section 432(a) shall be applicable to any council established under this section, except that, in lieu of the requirements in such sections that six of the members be outstanding in the study, diagnosis, or treatment of a disease or diseases, six of such members shall be selected from leading medical or scientific authorities who are outstanding in the field of research or training with respect to which the council is being established, and except that the Surgeon General, with the approval of the Secretary, may include on any such council established under this section such additional ex officio members as he deems necessary in the light of the functions of the institute with respect to which it is established.

“(c) Upon appointment of any such council, it shall assume all or such part as the Surgeon General may, with the approval of the Secretary, specify of the duties, functions, and powers of the National Advisory Health Council relating to the research or training projects with which such council established under this part is concerned and such portion as the Surgeon General may specify (with such approval) of the duties, functions, and powers of any other advisory council established under this Act relating to such projects.

“FUNCTIONS

“SEC. 444. The Surgeon General shall, through an institute established under this part, carry out the purposes of section 301 with respect to the conduct and support of research which is a function of such institute, except that the Surgeon General shall, with the approval of the Secretary, determine the areas in which and the extent to which he will carry out such purposes of section 301 through such institute or an institute established by or under other provisions of this Act, or both of them, when both such institutes have functions with respect to the same subject matter. The Surgeon General is also authorized to provide training and instruction and establish and maintain traineeships and fellowships, in the institute established under section 441 and elsewhere in matters relating to diagnosis, prevention, and treatment of a disease or diseases or in other aspects of maternal health, child health, and human development, with such stipends and allowances (including travel and subsistence expenses) for trainees and fellows as he deems necessary, and, in addition, provide for such training, instruction, and traineeships and for such fellowships through grants to public or other nonprofit institutions.

“PRESERVATION OF EXISTING AUTHORITY

“SEC. 445. Nothing in this part shall be construed as affecting the authority of the Secretary under section 2 of the Act of April 9, 1912 (42 U.S.C. 192), or title V of the Social Security Act (42 U.S.C., ch. 7, subch. V), or as affecting the authority of the Surgeon General to utilize institutes established under other provisions of this Act for research or training activities relating to maternal health, child health, and human development or to the general medical sciences and related sciences.”

SEC. 2. Section 301(d) of the Public Health Service Act is amended by striking out the words “research projects” wherever they appear therein and inserting in lieu thereof “research or research training projects”.

SEC. 3. Title II of the Public Health Service Act is amended by adding after section 221 the following new section:

“ADVISORY COMMITTEES

“SEC. 222. (a) The Surgeon General may, without regard to the civil service laws, and subject to the Secretary’s approval in such cases as the Secretary may prescribe, from time to time appoint such advisory committees (in addition to those authorized to be established under other provisions of law), for such periods of time, as he deems desirable for the purpose of advising him in connection with any of his functions.

“(b) Members of any advisory committee appointed under this section who are not regular full-time employees of the United States shall, while attending meetings or conferences of such committee or otherwise engaged in business of such committee receive compensation and allowances as provided in section 208(c) for members of national advisory councils established under this Act.

“(c) Upon appointment of any such committee, the Surgeon General, with the ap-

proval of the Secretary, may transfer such of the functions of the National Advisory Health Council relating to grants-in-aid for research or training projects in the areas or fields with which such committee is concerned as he determines to be appropriate.”

SEC. 4. (a) Section 704 of the Public Health Service Act is amended by striking out “six” and inserting in lieu thereof “nine”.

(b) Section 705(a) of such Act is amended by striking out “1962” and inserting in lieu thereof “1965”.

Approved October 17, 1962.

Public Law 87-839—Oct. 18, 1962

AN ACT To amend the Merchant Marine Act, 1936, to develop American flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title II of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1101 et seq.), is amended by adding immediately after section 212(A) thereof (46 U.S.C. 1122a) the following new section:

“SEC. 212. (B) (a) The Secretary of Commerce shall encourage and promote the development and use of mobile trade fairs which are designed to show and sell the products of United States business and agriculture at foreign ports and at other commercial centers throughout the world where the operator or operators of the mobile trade fairs exclusively use United States flag vessels and aircraft in the transportation of their exhibits.

“(b) The Secretary of Commerce is authorized to provide to the operator or operators of such mobile trade fairs technical assistance and support as well as financial assistance for the purpose of defray certain expenses incurred abroad, when the Secretary determines that such operations provide an economical and effective means of promoting export sales.

“(c) There is authorized to be appropriated not to exceed \$500,000 per fiscal year for each of the three fiscal years during the period beginning July 1, 1962, and ending June 30, 1965. In addition to such appropriated sums, the President shall make maximum use of foreign currencies owned by or owed to the United States to carry out the purposes of this section.

“(d) The Secretary of Commerce shall submit annually to the Congress a report on his activities under this Act.”

SEC. 2. Section 104(m) of the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended by inserting immediately before “, and (B)” the following: “or section 212(B) of the Merchant Marine Act, 1936”.

Approved October 18, 1962.

FUNDING FOR UNACCOMPANIED ALIEN CHILDREN

Mrs. FEINSTEIN. Mr. President, I wish to inquire of my friend, the distinguished chairman of the Labor, HHS Appropriations Subcommittee, about the nature of funding in this measure for the care and treatment of unaccompanied alien children.

As my friend knows, in the Homeland Security Act of 2002, Congress transferred responsibility for the care and treatment of unaccompanied alien children from the former Immigration and Naturalization Service (INS) to the Department of Health and Human Services Office of Refugee Resettlement (ORR), effective March 1 of this year. Fiscal year 2004 will be the first full year during which ORR will be responsible for this important function, and

it is critical for ORR to have adequate funding to exercise its new responsibilities.

Mr. SPECTER. I commend my friend from California for her tireless dedication to ensuring the protection of unaccompanied alien children. Indeed, it was her efforts last year that brought about the transfer of responsibility for these vulnerable children to ORR. I am pleased to have been a supporter of those efforts.

As the Senator knows, the President requested \$34.227 million for unaccompanied alien children for fiscal year 2004. The allocation levels the subcommittee received for fiscal year 2004 were so low, the committee had to reduce the overall funding for ORR beneath the President's request. Nonetheless, the committee recommended the full \$34.227 million for fiscal year 2004 for unaccompanied alien children that the President requested.

Mrs. FEINSTEIN. I thank the Senator. It is important to note that in making its initial request for fiscal year 2004, the administration acknowledged that it was a preliminary estimate based on less-than-complete information. Since the administration made its initial budget request last January, it has become evident that ORR will need more funds in order to fulfill its unaccompanied alien child responsibilities.

In talking with experts who work with these children as well as with administration officials, it has become evident that this important program will need at least \$20 million in additional funding in order to operate effectively in fiscal year 2004.

As the Senate knows, I was prepared to offer an amendment to this bill that would appropriate the additional \$20 million for these programs, bringing the total appropriation for unaccompanied alien children for fiscal year 2004 to \$54,227,000. This anticipated that the additional \$20 million being appropriated for these functions would be derived from unused refugee and entrant funds from prior fiscal years. These funds have gone unused because of the unfortunate shortfalls that have occurred in refugee admissions during the last several fiscal years.

In the interest of time and in deference to the delicate balance that the committee was forced to achieve in putting together this bill, I will not offer this amendment at this time. However, I ask the chairman for some assurance that he will work with House conferees to secure a minimum of \$54.227 million for these functions in conference.

Mr. SPECTER. I thank my friend from California for withholding from offering her amendment. The Senator is correct that the program would benefit greatly from an additional \$20 million, and I am dedicated to helping secure that funding before the end of this process.

As the Senator knows, the House mark for Refugee and Entrant Assist-

ance was \$33.797 million higher than the Senate was able to recommend. Should the conferees reach agreement on overall ORR funding that is closer to the Senate mark than the House mark, I will work with my colleagues in the Senate and the House to achieve an appropriation for unaccompanied alien children along the lines of the amendment that you have so graciously agreed to withdraw.

Mr. HARKIN. As ranking member of the subcommittee I agree with my friend from Pennsylvania and will work to ensure that the funding the senior Senator of California is requesting for the Office of Refugee Resettlement will be reflected in the final conference agreement.

Mrs. FEINSTEIN. I thank my friend from Pennsylvania, the distinguished chairman, for that assurance. He has been an important ally in our efforts to reform the treatment of unaccompanied alien children. I also commend my friend from Iowa for his tireless efforts on behalf of all children throughout his career in the Senate, and I thank him for his support for this effort. I look forward to working closely with both of my colleagues to ensure that adequate funding is appropriated to carry out the mandate that Congress created in the Homeland Security Act of 2002.

COMMUNITY ACCESS PROGRAM

Mrs. MURRAY. Mr. President, I've come to the floor today to discuss my disappointment that the chairman's mark zeros out funding for the Community Access Program, a community-based program that seeks to coordinate health care of the uninsured and underserved.

This development is especially disappointing because less than 8 months ago, the Senate overwhelmingly adopted my amendment to provide full funding for the CAP program in the FY 2003 Omnibus Appropriations bill.

Since early 2001, the current administration has targeted this program for elimination. It is difficult to understand why the President's budget eliminate a program that seeks to get care for the uninsured at a time when the ranks of the uninsured continue to grow. As more and more families lost their insurance coverage, programs like CAP will become even more important.

The CAP program helps increase the capacity and effectiveness of community health care institutions and providers who serve patients regardless of their ability to pay.

The program supports community-based groups that coordinate care for the uninsured. CAP has been very successful, and it enjoys broad bipartisan support. The CAP program was authorized in October 2002 as part of the Health Care Safety Net Authorization bill, which was unanimously adopted by the Senate.

The purpose of the CAP program is spelled out in the Health Care Safety Net Authorization bill. Let me read from the Committee report.

The purpose is "to provide assistance to communities and to consortia of health care providers, in order to develop or strengthen an integrated health care delivery system that coordinates health services for individuals who are uninsured and individuals who are underinsured. And, to develop or strengthen activities related to providing coordinated care for individuals with chronic conditions."

I believe these are goals and objectives that we must achieve, but eliminating CAP will make this impossible.

I understand the fiscal pressures facing Chairman SPECTER, and I believe he has done the best job possible. But we are facing a major health care crisis in this country. I know the important role CAP can play in working to address this crisis.

Washington State has four CAP grantees. They have worked hard to expand access to quality, comprehensive care for those who have no health care safety net outside of the emergency room.

Washington's CAP grantees are based in Spokane, Wenatchee, Olympia and Seattle. As I've met with our CAP grantees, they've shown me a glimpse into the future of affordable health care.

For example, almost a year ago, I visited the Odessa Brown Children's Clinic in Seattle. I saw a doctor, a dentist and a psychologist all in the same room, not just treating individual body parts, but treating the whole child in a comprehensive, compassionate way.

Today that project—known as "Kids Get Care"—is connecting more than 3,000 children to comprehensive health care.

These efforts are making a real difference for low-income families, and they need more investment, not elimination.

Our CAP grantees have worked to ensure that our increased investment in Community Health Centers reaps the greatest benefit possible.

They have worked with vulnerable populations to tear down all barriers to care—not just economic barriers. They have used this small investment to better served the uninsured.

We should be strengthening efforts like this—not eliminating them.

Currently, one in nine Washington residents is uninsured. With my State's ongoing economic crisis, demand will grow for programs that provide care for the uninsured.

We need to meet the immediate needs of families who today can only access care in the Emergency Room.

CAP provides the seed money that gives community health care providers the ability to serve those who have nowhere else to go.

I had considered offering an amendment to restore full funding for CAP.

However, because of the budgetary constraints, to secure the votes needed, I would have to cut other vital Labor, HHS and Education programs, many of which are already taking cuts.

Instead, I would like to yield to the chairman of the subcommittee for the purpose of engaging in a colloquy.

Chairman SPECTER, again let me stress my appreciation for your efforts. You have been given an almost impossible task.

The bottom line is our Subcommittee allocation for LHHS is simply not sufficient to meet the important priorities of labor, health care and education.

I know you did the best job possible, but I am asking for your support of CAP in conference.

When I raised this issue in the subcommittee markup, you indicated your willingness to work to ensure that this program is funded when the final bill emerges from conference.

Mr. SPECTER. It is true that we have not funded the Community Access Program. That program has traditionally been funded by the House, and let me assure you that it will be funded when we come out of conference. As the Senator from Washington is aware, the House passed LHHS Appropriations bill allocates a total of \$104.317 million for FY 2004 for the Community Access Program.

Mr. HARKIN. I want to echo the comments of my good friend from Pennsylvania and thank Senator MURRAY for bringing up this important issue. I, too, am very concerned by the President's elimination of this successful program. I look forward to working with Chairman SPECTER to restore funding in conference.

Mrs. MURRAY. I thank the chairman and ranking member of their support in conference, and as a conferee, I will continue to work with you to ensure the \$104.317 million in FY 2004 for the Community Access Program.

DISLOCATED WORKER AMENDMENT

Ms. CANTWELL. Mr. President, I rise to enter into a colloquy with the distinguished chairman and ranking member of the Subcommittee on Labor, Health and Human Services, Education. I came to the floor today to offer an amendment to increase dislocated worker formula funds in order to create new job training opportunities for dislocated workers.

Given the continued job losses nationwide, increasing funds to retrain workers is critical—both for workers and for the businesses that are hiring workers. Our national unemployment rate is now 6.1 percent, which is close to the highest it has been in 9 years. Since the recession started in January 2001, we have lost more than three million private sector jobs, and these job losses continue. In my State, Boeing announced over 600 layoffs in July. In August, it announced over 500 more. And it has plans to cut a total of 5,000 jobs nationally by the end of the year. These funds are clearly needed to get Americans back to work.

I am pleased that my colleagues and I have reached an agreement to include an additional \$25 million in this bill for the Dislocated Worker formula funds.

Clearly, I would have liked to secure additional funding, but recognize that the bill includes many worthy priorities and that funds are extremely tight. I look forward to working with the chairman and ranking member to secure this funding increase in the final version of the bill.

Mr. SPECTER. I thank the Senator from Washington for her comments. And I think she makes a good point about the important role the Senate can play in supporting the retraining of dislocated workers. The Senator is correct that we have agreed to include an additional \$25 million for the Dislocated Worker funding stream in the managers' amendment. I will fight to keep this funding in the conference committee bill.

Mr. HARKIN. I agree with the Senator from Washington that there is a great need for additional funds for dislocated workers, I will work with my colleagues to retain this increase of \$25 million for dislocated worker formula funds in the conference committee bill.

YMCA AND THE HEALTHY STEPS INITIATIVE

Mr. GREGG. Mr. President, I want to commend Mr. SPECTER and the committee for increasing funding for chronic disease prevention and control programs under the CDC. I especially want to thank him for the report language accompanying this bill that recognizes the important role that nonprofit organizations such as YMCAs and Jewish Community Centers play in providing millions of American youth comprehensive health and wellness programs designed to address risk behaviors such as physical inactivity, unhealthy diets, and tobacco use. Because only 25 percent of public schools are offering daily physical education programs, and it has fallen to community-based organizations like the Y to step in and implement health promotion and health education strategies and interventions designed to increase physical activity and foster good nutrition among school-aged children.

I also support the committee's efforts to ensure that private organizations like the YMCA and Jewish Community centers are eligible to receive funding as part of the Secretary's steps to a Healthier U.S. Initiative. It is essential that we begin to encourage after school physical activity programs that help reduce and prevent obesity.

As President Bush recently noted during a visit to the West Lake YMCA in Dallas to promote his Healthy Steps Initiative, "the YMCA is an integral part of a healthy America by encouraging our youngsters to exercise, to have fun, to get outside, to learn to eat good foods." I agree that national organizations, like the YMCA, that have a long history of serving youth and have the ability to assist state health and education departments in all 50 States, are perfectly positioned for the job of helping us develop and deliver model physical activity programs for elementary and secondary education students.

If we are going to quickly and efficiently make an impact on youth obe-

sity, resources need to be made available to organizations that: have a long-standing physical presence in our communities; have established and stable relationships with state and local health and education agencies; and are experienced in providing health and fitness programs to America's youth.

Mr. SPECTER. Mr. President, I thank the Senator from New Hampshire for his support for the subcommittee's efforts in this regard. We should all be concerned about the scourge of obesity among our Nation's youth, and I am committed to assisting the necessary partnerships and programs needed to reverse these devastating trends. Those efforts should include private organizations such as the YMCA to the extent possible and government at all levels should be working with such groups to develop and implement after school physical activity programs to reduce and prevent obesity. I am delighted to work with my colleague from New Hampshire to ensure that national nonprofit organization's like the YMCA and Jewish Community centers have an opportunity to play a leading role in helping achieve the President's goals for a healthier America.

Mr. HARKIN. Mr. President, I want to thank both of my distinguished colleagues, and I want to add my concern over the growing problem that obesity poses on the health of our Nation. Specifically the emphasis that it has had in the lives of our youth. Together we need to seek and work toward a solution.

Nonprofit organizations play a significant role in this battle to keep our Nation healthy. I look forward to working with my good friend and chairman of this subcommittee, Senator SPECTER, and my chairman on the authorizing committee on which I serve, Senator GREGG.

VACCINE STOCKPILE

Mr. SPECTER. I am glad to join Senator HARKIN in confirming our intent that the Vaccines for Children program funding in the Labor-HHS Appropriations bill be used in part to stockpile a 6-month supply of childhood vaccines. Only a year ago, doctors had to turn families away at the door because of national vaccine shortages for eight out of the eleven vaccine-preventable diseases. During the vaccine shortage, children became ill with pneumococcal meningitis and pneumonia, diseases that could have been prevented with an adequate supply of the pneumococcal vaccine. Fortunately, we have witnessed some significant progress since then, which is a credit to a collaborative effort by public health officials, vaccine manufacturers and providers. Shortages have stopped, and childhood vaccines for eleven different diseases are no longer being delayed.

Mr. HARKIN. During the crisis, the HELP Committee met on multiple occasions to study this important issue. I want to thank my friend from Pennsylvania and join him in affirming that it

was our intent to use funding in this bill to stockpile a 6-month supply of childhood vaccines. Despite the efforts of the committee and the collaborative effort by many others on this important public health issue, I understand that my home State of Iowa, like the rest of the Nation, only has a one-to-two month stockpile for some of the routinely recommended childhood vaccines. Senator REED, is it accurate to state that these shortages, temporarily alleviated, could return at any time?

Mr. REED. Yes, unfortunately, the General Accounting Office report confirmed that a pause in production for safety reasons could happen again and would have a critical and devastating impact on the ability to vaccinate children and adults. That is why I appreciated the administration's announced commitment to provide funds in the 2004 Budget for a vaccine stockpile. Senator CLINTON, how much funding does the administration plan to provide in Fiscal Year 2004 for a stockpile?

Mrs. CLINTON. The administration plans to provide \$124 million in fiscal year 2004 so that it can store a 6-month supply of childhood vaccines by 2006. I thank Senators SPECTER and HARKIN for affirming the administration's commitment to prevent further vaccine shortages by stockpiling a 6-month supply of childhood vaccines. Senators DEWINE and REED and I introduced the Childhood Vaccine Supply Act along with to strengthen and support the administration's authority in these efforts and assure that the stockpile includes adults as well as all children, who were affected by the tetanus-diphtheria toxoid shortage last year. Senator DEWINE, is a vaccine stockpile sufficient to prevent future shortages?

Mr. DEWINE. No. We also need an additional buffer because CDC acknowledges that it will take until 2006 before we can have a six-month stockpile of childhood vaccines. That is why I joined you and Senator REED in introducing the Childhood Vaccine Supply Act, which would provide a notification mechanism so that CDC can work with other manufacturers to maintain the vaccine supply when a manufacturer cannot produce an adequate supply of vaccine. Each of the four major vaccine producers has stated that they do not object to this sort of an advance notice provision. We have worked amicably with Senators FRIST, GREGG, and KENNEDY on both of these vaccine provisions. We have worked amicably with Senator FRIST on this issue and our vaccine provisions, and fully expect to continue working with this bipartisan group of Senators to accomplish the important goal of assuring safe vaccines for all children.

MENTORING

Mr. AKAKA. Mr. President, I rise to enter into a colloquy with colleagues who share my zeal for quality mentoring programs, Senators ALLEN and BEN NELSON, and the distinguished leaders on the Appropriations Subcommittee on Labor, Health and

Human Services, Education and Related Agencies. My concern is with the adequacy of the funding level for mentoring included in this bill today. For the two programs focused exclusively on mentoring, the Department of Education's Mentoring Programs grants and the Department of Health and Human Services' Mentoring for Children of Prisoners, the bill before us commits just \$38.6 million—well short of the President's request of \$150 million. I understand that limited resources are constraining the amounts we are able to provide for many programs, and I thank the chairman and ranking member for the increased they included in this bill for Mentoring Programs. But I do hope we can find some funding to further increase the allocation for mentoring.

I'm sure we can all remember an adult who made a difference for each of us growing up by spending time with us, encouraging us, and serving as a positive role model. That is exactly what mentoring is: a sustained relationship between a young person and an adult in which the adult provides support, guidance, and assistance to the young person. The benefits of a mentoring relationship are wide-ranging—including gains in educational achievement, health and safety, and social and emotional development.

We have some wonderful mentoring programs in Hawai'i, and they have an invaluable impact on young people throughout my State. One of these excellent examples has been the Senior Kupuna in the Preschools Project run by the Hawaii Intergenerational Network that has achieved meaningful results such as positive changes in classroom behavior. But these programs need additional funding to serve more young people.

I would like to work with the distinguished chairman and ranking member of the subcommittee to increase funding for mentoring in Conference to a level at least equal to the House allocation of \$75 million. Before I yield the floor to them, I am pleased to yield at this time to another strong advocate of mentoring programs, the former Governor of Virginia, Senator ALLEN.

Mr. ALLEN. Mr. President, I thank my colleague from Hawaii, Senator AKAKA, for his work on this important issue. I, too, strongly believe that mentoring is effective. Unfortunately, the need for mentors is so much greater than what is currently available. MENTOR/National Mentoring Partnership estimates, based on the latest US Census figures and risk factors for youth, that approximately 17.6 million young people could benefit greatly from a high-quality formal mentoring relationship with a caring adult. Of those young people who need mentors, an estimated 2.5 million are fortunate to be in formal, high-quality mentoring relationships. But that leaves more than 1.5 million young people in need of mentors, falling into a "mentoring gap."

The President has requested \$100 million for Mentoring Programs grants and \$50 million for Mentoring for Children of Prisoners as a strategic first step to closing that mentoring gap, and I want to recognize him for his leadership. Through a concentrated effort, we will be able to match thousands of new children with caring adults. But, that cannot happen unless we are able to increase the funding for mentoring in this appropriations bill.

Given the tight budget times we are facing, I appreciate the increase that the committee was able to provide for mentoring. However, I believe that we can do better in conference. I, too, would like to work with the chairman with the goal of matching or exceeding the House figure of \$75 million, even though it is still short of the President's request of \$150 million. I would like to conclude my remarks at this time and yield to a fellow former governor, the Senator from Nebraska, BEN NELSON.

Mr. NELSON. Mr. President, I begin by thanking my colleagues, Senators AKAKA and ALLEN, for their efforts toward ensuring that young people in this country are able to access valuable mentoring services.

As Governor, I helped the mentoring program TeamMates of Nebraska—which was started by former Nebraska football coach, now Congressman, TOM OSBORNE—expand statewide. From your personal experience, I know that, like any youth-development strategy, mentoring works best when measures are taken to ensure quality and effectiveness. Programs must carefully recruit, screen, and train prospective volunteers, and then support them throughout the duration of the mentoring relationship. Inadequate funding directly impacts a mentoring organization's ability to operate a high-quality program. I strongly believe that we should recede to the House numbers on mentoring, which would provide \$75 million to help match young people across the country with mentors.

I'd like to share a quote from a Nebraska mentee, Ean Garrett. Ean is a participant in the ProPal Plus Mentoring Program in Omaha, Nebraska, and these are his own words:

Mentoring shows us that we don't have to live day by day, that we live in a world full of opportunities. It teaches us that with imagination and a lot of hard work, we can go as far as we want. Mentoring helps us see that graduating from high school is not an option; it is a requirement. And mentoring helps us develop our skills so that we are successful well-rounded people who are major contributors to our community, our society, our country, the human race, and the world. Thanks to ProPal Plus and my mentor, the American dream is mine.

The chairman and ranking member have faced a lot of tough choices in crafting this bill, and I am pleased they were able to find an increase for mentoring. I do think Ean's words help us all understand why we must find more. I will end there and yield time to the distinguished chairman and ranking member.

Mr. SPECTER. Mr. President, I thank my colleagues from Hawai'i, Virginia, and Nebraska for raising this very important issue. I agree that the funding levels for Mentoring Programs and Mentoring for Children of Prisoners should be examined carefully in Conference. We have a great many wonderful mentoring programs throughout Pennsylvania that could use more funding in order to continue their good work with young people.

I applaud the three Senators in their goal that these two programs receive the \$75 million funding level proposed by the other body. I will work with them and my colleagues in the other body to try to achieve this goal during conference.

Mr. HARKIN. Mr. President, I echo the comments of my colleague from Pennsylvania. It has been proven time and again that kids act out the behaviors that are role modeled for them. That's why caring adult mentors can truly help transform the lives of young people. A substantial increase in federal funds for mentoring would provide a much-needed infusion of grant funding into the mentoring community in Iowa and across the nation. This funding is a wise investment in the future success of young people across this country.

Mr. AKAKA. I thank the chairman and the ranking member for their willingness to work with us on mentoring funding as this appropriations bill moves forward. It will make a big difference in many lives around the country.

FUNDING FOR HEALTH PROFESSIONS TRAINING

Mr. FRIST. Mr. President, I rise to engage the distinguished chairman and ranking member of the Labor, Health and Human Services, and Education Appropriations Subcommittee in a colloquy.

I want to thank the chairman for the hard work he has put into crafting the Labor-HHS bill that is currently before us. I know that he faces many challenges in developing this important legislation every year, and I commend him for his leadership. As the chairman knows, I am a very strong supporter of Federal health professions training programs. These important programs administered by the Health Resources and Services Administration, HRSA, provide critical support to health professions institutions, facilities, students and communities throughout the country.

Support from these programs is particularly important to our Nation's historically black health professions schools. HRSA's Health Professions Training for Diversity Programs, including Minority Centers of Excellence, Health Careers Opportunities, Scholarships for Disadvantaged Students, and Faculty Loan Replacement, support those institutions with a historic commitment to training minorities in the health professions. Without support from these programs, many of our historically black health profes-

sions schools, including Meharry Medical College in my home State, would be unable to sustain their mission of training minorities for clinical careers in medically underserved areas.

The other programs that comprise the Health Professions Training cluster are equally important to ensuring that we meet our health professions workforce needs, particularly in the over 3,100 Federally Designated Health Professions Shortage Areas. Primary Care Medicine and Dentistry, Area Health Education Centers, Health Education and Training Centers, Allied Health, and other Title VII programs all play a critical role in our health care system. As we continue to work to expand access to quality health care for all Americans, I believe it is important that we support those existing Federal programs that make a difference.

I also recognize that these programs have not yet been formally reauthorized, and so I appreciate the chairman's continued support for funding these items. I look forward to working with him, Chairman GREGG and others to reauthorize these programs and to look for ways through the reauthorization process to improve performance measures and accountability.

I, again, thank the distinguished Senator from Pennsylvania and express my interest in working with him and our colleagues in the House to fully restore funding for all Health Professions Training Programs when the Labor-HHS bill gets to conference.

Mr. SPECTER. Mr. President, I thank the distinguished majority leader for his comments and for his leadership on these very important issues. He has truly been a leader in this area, and he has consistently pushed for improvements in Federal programs to eliminate health disparities. In fact, he authored the Title VII and Title VIII Reauthorizations as chairman of the Senate Health, Education, Labor, and Pensions Committee's Public Health Subcommittee during the 105th Congress.

As he knows, our subcommittee has a long history of supporting HRSA's Health Professions Training programs. Senator HARKIN and I appreciate the contributions these programs make to our provider workforce through a variety of scholarships, loans, grants and contracts. Unfortunately, the allocation that was provided to the subcommittee for FY04 did not permit us to fully support these worthy initiatives. I agree with the majority leader that a restoration of funding for all health professions programs should be our goal in conference. I am pleased to commit to the majority leader that I will do all I can to fully restore funds for the four diversity programs and, at a minimum, bring funding for the other programs to the House level.

Mr. HARKIN. Mr. President, I want to commend both my chairman, Mr. SPECTER, and the majority leader for their support of the Health Professions programs. My home State of Iowa is

suffering from a severe shortage of health professionals. In a rural State, getting well-trained doctors, nurses, and health technicians is always a challenge. One of the biggest obstacles facing health professionals who want to come to rural areas is loan debt. Many of these professionals cannot afford to work in small town America. And that is truly a shame. That is why I am a long-standing supporter of the Health Professions training programs. These programs help to train American workers for good paying, steady jobs, while giving them the economic freedom to work in medically underserved areas—many times the most rewarding settings in which a health professional can work. I thank my colleagues for their commitment to these programs, and I look forward to working with Mr. SPECTER to try to restore this funding in conference.

Mr. REED. Mr. President, I also wish to express my appreciation to the chairman and ranking member for their longstanding commitment to HRSA Title VII Health Professions programs. I had planned to offer an amendment to increase funding for these critical programs to the House level. I will not offer this amendment with the understanding that this will be worked out in conference. I thank the managers of the bill and the Senate majority leader and look forward to working with them as this bill proceeds.

COMPREHENSIVE CANCER ACCOUNT SURVIVORSHIP PROGRAMS

Mr. REID. Mr. President, I want to commend Senators HARKIN and SPECTER for increasing funding for the CDC Chronic Disease Comprehensive Cancer Account by \$2.6 million in this bill, bringing the total funding for this account to \$12 million in FY 2004. Given the tight budget constraints we are facing this year, I am particularly appreciative of the increased funding they were able to provide for this important program.

The Comprehensive Cancer programs support public and private partnerships to reduce cancer incidence, morbidity, and mortality. These efforts are especially important to the growing number of cancer survivors and their families who are faced with a wide range of physical and emotional health complications after they have survived cancer. This is an especially critical issue for children.

According to the Institute of Medicine's National Cancer Policy Board, while childhood cancer was nearly always fatal before 1970, 78 percent of patients today survive at least 5 years. While this statistic represents a welcome trend and is a major victory against cancer, it raises new issues that need to be addressed.

Cancer survivors, especially children, are oftentimes plagued with neurological impairments, heart and lung problems, growth and fertility disorders, and psychological stresses caused by treatment, complications of the cancer, or both.

Over the past 3 years, 16 children in the small community of Fallon, NV, have been diagnosed with a rare form of leukemia. Sadly, three of these children have since lost their battle with cancer. However, thanks to chemotherapy and other promising treatments, many of these children have shown tremendous progress and we are hopeful that they will make full recoveries.

While we are focused and doing everything we can to ensure that the children in Fallon make full recoveries, we cannot stop there. We need to have support programs to ensure that these children—and cancer survivors around the country—receive the support and care they need and deserve.

According to the IOM policy board, up to 60 percent of survivors do not receive coordinated follow-up care at specialized clinics, which are best suited for treating long-term medical and psychosocial needs. Moreover, pediatric oncologists are trained to battle the cancers, but few are prepared to treat the chronic medical conditions that can follow.

A recent assessment of all the existing comprehensive cancer control programs showed that while all States were doing something with regard to cancer survivorship, there was no uniform, coordinated approach. The CDC, in coordination with this country's leading cancer survivorship organizations, have started a year long planning process to develop a National Public Health Action Plan on Cancer Survivorship. This plan will chart the course for the implementation of cancer survivorship activities into State comprehensive control programs, State cancer registries and other public health functions, which will be available this winter for States to use.

We cannot afford to stay behind the curve on this issue, which will surely become an even bigger problem as NIH research continues to improve treatments. Providing increased funding to the Comprehensive Cancer Account will not only ensure that adequate funds are available to disseminate the new survivorship plan to all States, but also ensure that States will have the appropriate resources to implement the plans.

Mr. HARKIN. Mr. President, I share Senator REID's support for the CDC's Chronic Disease Comprehensive Cancer program. As someone who has dedicated a good deal of my career to advancing treatment and services for people with cancer, I especially appreciate the importance of this program. Having lost my two sisters and my brother to cancer, I consider myself a cancer survivor and know too well the toll this disease takes on everyone. We are under very tight budget constraints this year, but we need to support the highest possible funding level for comprehensive cancer in conference so we can ensure every cancer survivor has access to the necessary and appropriate care before, during, and after cancer touches their life.

Mr. SPECTER. Mr. President, I thank the Senator from Nevada for raising this important issue. As he pointed out, the lack of a uniform and comprehensive cancer survivorship plan is becoming a critical public health issue for the millions of cancer survivors and their families and friends. That is why I worked with my close friend Senator HARKIN to secure increased funding for this program. Like so many public health programs, especially within the Chronic Disease Account, there is a lot more that can and should be done. I will work with my friend from Nevada and the conferees to secure the highest possible funding level for comprehensive cancer programs.

Mr. REID. I thank the chair and ranking member for their support for this effort, and I look forward to working with them to secure the highest possible funding level for the Comprehensive Cancer Account and the cancer survivorship programs it supports.

ADEQUATE FUNDING FOR MEDICARE CONTRACTORS

Mr. HOLLINGS. Mr. President, I rise to engage in a colloquy with the distinguished chairman and ranking member of the Labor-HHS-Education Appropriations Subcommittee. As the Senators know, Medicare contractors play a critical role, partnering with the Federal Government to administer the Medicare program. This year, these contractors will process over one billion Medicare claims; they are the primary point of contact for beneficiaries and providers and provide the first line of defense against Medicare fraud. They are very efficient, with contractors' administrative costs representing less than 1 percent of total Medicare benefits.

While the subcommittee has done its best to provide needed funding for Medicare contractors over the years, the fact exists that CMS and its Medicare contractors have been severely underfunded for years. The problem has been more acute since the mid-to-late 1990s with the enactment of new Medicare laws placing additional responsibilities with insufficient resources to perform these new duties, e.g., HIPAA, BBA '97, BBRA '99, BIPA 2000. Clearly funding has not kept pace with additional work.

The pending Medicare reform legislation, S. 1, if enacted, will exacerbate funding problems for Medicare contractors. Hundreds of changes are made that will require more work by contractors, such as system changes to adjust provider payments, expedited appeals processes and new coverage requirements.

I know that the chairman and ranking member share my concern that Medicare contractors receive adequate funding. The budget constraints we face resulted in an insufficient 1.6 percent increase for Medicare contractor operations, even though claims volume is expected to rise 11 percent. The

Medicare Integrity Program, MIP, which provides contractors with dedicated funding for critical fraud and abuse detection activities, is not increased at all. Further, the money we provide does not account for any of the new responsibilities contractors will face if Medicare reform is enacted.

I am concerned that inadequate funding would be devastating to the administration of Medicare and the safeguarding of the Medicare trust fund. Those that will feel the impact most are Medicare beneficiaries and the providers that care for them.

I am told that if funding is not increased to an adequate level, many Medicare contractors would have to reduce staff levels and eliminate certain beneficiary and provider outreach activities. Since claims must be paid, the result will be decreased customer service to beneficiaries and providers. I'm certain we'll hear from our constituents when they are faced with busy phone lines, longer wait times for questions to be answered, reduced provider training on how to properly submit a claim leading to the submission and potential payment of improper claims.

I ask the Senators from Pennsylvania and Iowa to work with me to ensure that Medicare contractors receive increased funding within the available amounts appropriated in the bill. This is particularly critical if Medicare reform is enacted.

Mr. HARKIN. I appreciate my friend from South Carolina's remarks and I, too, share your concerns. I'd like to point out that the Medicare Integrity Program has had a significant impact on reducing waste, fraud, and abuse in Medicare. In fact, for every \$1 spent fighting fraud and abuse through MIP activities, Medicare contractors save the government \$14. I understand that MIP is now capped at \$720 million despite continuing projected increases in claims volume. Therefore Congress must authorize an increase in this permanent funding authority. I'd like us to work with the authorizing committee to increase MIP funding beyond FY 2003 to ensure it meets the demands of rising workloads and to appropriately safeguard the Medicare trust fund.

Mr. SPECTER. I thank the distinguished Senators from South Carolina and Iowa. The Senate Appropriations Committee approved \$2,496,889,000 for Medicare operations, the full amount of the President's budget request and an increase of \$110,209,000 over the FY 2003 level. I share your concerns that beneficiaries and providers receive the highest level of service by adequately funding Medicare contractors. We also must ensure that the trust fund is protected by adequately funding MIP.

I thank the Senator from South Carolina and the ranking member of the subcommittee for raising these important issues, and I offer my commitment to work with you both to provide

Medicare contractors with the resources needed to best serve beneficiaries and providers as well as encourage this Congress to authorize an increase in the MIP funding so that we may appropriate those critically needed dollars.

Mrs. MURRAY. Mr. President, my amendment helps States implement the No Child Left Behind Act by providing \$80 million for high quality data systems. I was proud to create this program as part of our reauthorization of the Institute of Education Sciences last year because I saw a real need to help States do this right. Requiring lots of testing only has a benefit to our students if the results of those tests are used to help teachers focus their teaching on weak spots and to help superintendents, principals and policymakers direct resources where they are needed most.

Funding these data systems with this amendment will make sure that the testing and attendance data required by No Child Left Behind are put to good use. Frankly, when I come down here to the Senate floor I usually prefer to talk about students, teachers and parents—not data systems. But it is clear to me that funding these data systems will do a lot more than buy computers and pay programmers. When I wrote this program I worked closely with the Harvard Civil Rights Project. They also see the danger to students—mostly poor and minority students—if no one is keeping track of what's happening to them.

All the new testing and accountability required in No Child Left Behind creates a real risk that kids who are having trouble passing those tests will drop out or be pushed out of school. The newspapers have been filled in recent months with stories of these so-called "pushouts"—students who are discouraged from completing school because their test scores are low and threaten the school's "adequate yearly progress."

The focus on this new phenomenon has raised serious questions about the "Texas Miracle" by pointing out the large numbers of students who are simply disappearing from our school systems. In July, the Houston Chronicle ran an article celebrating a new system—funded through a Federal grant—that is helping educators in Houston keep kids in school. They are using a data system to help lower their dropout rate, and they are definitely not the only ones who need help to do that. The high quality, longitudinal, statewide data systems that this amendment would help build are one of the best tools we have to keep kids in school.

Information is a powerful tool, and only by knowing which students are not showing up can our schools make an effort to find those students and help them. There are a lot of challenges today to keeping our teenagers in school, and I am not saying that data systems are the only answer. In

fact, I have introduced a whole bill focused on literacy and counseling and school reform to address many of the issues contributing to high dropout rates. But I know that funding these data systems can make a difference.

Over the last few years I have secured funds to help Washington State develop a data system that will truly support the mission of leaving no child behind by ensuring that every child is counted. The work they have done to develop a high-quality, statewide system is really impressive, and I know that they and other States across our country need this funding to make that possible.

I'd like to thank the Senators from New Hampshire and Nevada for working with me to fund this program. You can see that this is not a partisan issue. We need to pass this amendment and provide this funding to give States a critical tool to implement the No Child Left Behind Act. I hope my colleagues will join me in supporting funding for this program.

I ask unanimous consent to have two articles printed in the RECORD.

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

[From the Houston Chronicle, July 30, 2003]
TOOL TRACKS POTENTIAL DROPOUTS; PROFILER SOFTWARE LETS HISD KEEP TABS ON AT-RISK STUDENTS

(By Zanto Peabody)

The Houston school district has a high-tech new way to keep high school dropouts—by catching them before they leave.

With a new computer database available at every campus this fall, teachers can keep a virtual eye on every student and identify those at risk of leaving. For the first time, educators can look up a student's attendance and discipline records, immigration status, grades, and test scores at one source and use that information to predict dropouts.

"All students will know someone is watching them, tracking them, and is interested in their success," school board member Laurie Bricker said at a news conference Wednesday.

Houston Independent School District has been developing the PASS software—the Profiler for Academic Success of Students—for more than three years, Chief Academic Officer Robert Stockwell said, but recent events have underscored the need for it.

Starting with an investigation of possible dropout-reporting fraud at Sharpstown High School and culminating with a state audit that may lower the district's accountability rating, HISD has come to know how badly it handles some student data.

"The dropout issue is a key battleground for our future," Stockwell said. "We must keep these students in school and learning. Failure is not an option."

The Sharpstown investigation showed that employee can and have changed student records to reflect lower dropout rates. The state investigation and one by a district task force exposed computer records managed so badly that the district has no way of knowing where students have gone.

In an attempt to escape Texas Education Agency sanctions, HISD has promised to monitor students at risk of quitting. District officials also are considering a plan to assign an adult to each at-risk student.

Lee High School Principal Steve Amstutz said the newest version of the PASS program

will make that task easier. During a demonstration of the program, Amstutz was able to determine which fictional students were likely dropout candidates—students who missed too many days recently or whose grades dropped suddenly.

"In the past, that would have taken a small army of people looking through obscure records," Amstutz said.

HISD Chief Business Officer Cathy Minberg said the district developed its own program, using a \$1.1 million federal grant, because no other school in the nation has such a comprehensive way of tracking students.

THE "ZERO DROPOUT" MIRACLE: ALAS! ALACK!
A TEXAS TALL TALE
(By Michael Winerip)

HOUSTON, Aug. 13.—Robert Kimball, an assistant principal at Sharpstown High School, sat smack in the middle of the "Texas miracle." His poor, mostly minority high school of 1,650 students had a freshman class of 1,000 that dwindled to fewer than 300 students by senior year. And yet—and this is the miracle—not one dropout to report!

Nor was zero an unusual dropout rate in this school district that both President Bush and Secretary of Education Rod Paige have held up as the national showcase for accountability and the model for the federal No Child Left Behind law. Westside High here had 2,308 students and no reported dropouts; Wheatley High 731 students, no dropouts. A dozen of the city's poorest schools reported dropout rates under 1 percent.

Now, Dr. Kimball has witnessed many amazing things in his 58 years. Before he was an educator, he spent 24 years in the Army, fighting in Vietnam, rising to the rank of lieutenant colonel and touring the world. But never had he seen an urban high school with no dropouts. "Impossible," he said. "Someone will get pregnant, go to jail, get killed." Elsewhere in the nation, urban high schools report dropout rates of 20 percent to 40 percent.

A miracle? "A fantasy land," said Dr. Kimball. "They want the data to look wonderful and exciting. They don't tell you how to do it; they just say, 'Do it.'" In February, with the help of Dr. Kimball, the local television station KHOU broke the news that Sharpstown High had falsified its dropout data. That led to a state audit of 16 Houston schools, which found that of 5,500 teenagers surveyed who had left school, 3,000 should have been counted as dropouts but were not. Last week, the state appointed a monitor to oversee the district's data collection and downgraded 14 audited schools to the state's lowest rating.

Not very miraculous sounding, but here is the intriguing question: How did it get to the point that veteran principals felt they could actually claim zero dropouts? "You need to understand the atmosphere in Houston," Dr. Kimball said. "People are afraid. The superintendent has frequent meetings with principals. Before they go in, the principals are really, really scared. Panicky. They have to make their numbers."

Pressure? Some compare it to working under the old Soviet system of five-year plans. In January, just before the scandal broke, Abelardo Saavedra, deputy superintendent, unveiled Houston's latest mandates for the new year. "The districtwide student attendance rate will increase from 94.6 percent to 95 percent," he wrote. "The districtwide annual dropout rate will decrease from 1.5 percent to 1.3 percent."

Dropouts are notoriously difficult to track, particularly at a heavily Latino school like Sharpstown, with immigrants going back and forth to Mexico. Dr. Kimball said that

Sharpstown shared one truant officer with several schools. Even so, Houston officials would not allow principals to write that the whereabouts of a departed student were "unknown." Last fall, Margaret Stroud, deputy superintendent, sent a memorandum warning principals to "make sure that you do not have any students coded '99,' whereabouts unknown." Too many "unknowns," she wrote, could prompt a state audit—the last thing Houston leaders wanted.

A shortage of resources to track departing students? No "unknowns" allowed? What to do? "Make it up," Dr. Kimball said. "The principals who survive are the yes men."

As for those who fail to make their numbers, it is termination time, one of many innovations championed by Dr. Paige as superintendent here from 1994 to 2001. He got rid of tenure for principals and mandated that they sign one-year contracts that allowed dismissal "without cause" and without a hearing.

On the other hand, for principals who make their numbers, it is bonus time. Principals can earn a \$5,000 bonus, district administrators up to \$20,000. At Sharpstown High alone, Dr. Kimball said, \$75,000 in bonus money was issued last year, before the fictitious numbers were exposed.

Dr. Paige's spokesman, Dan Langan, referred dropout questions to Houston officials, but said that the secretary was proud of the accountability system he established here, that it got results and that principals freely signed those contracts.

Terry Abbott, a Houston district spokesman, agreed that both Dr. Paige and the current superintendent, Kaye Stripling, pressured principals to make district goals. "Secretary Paige said, and rightfully so, the public has a right to expect us to get this job done," Mr. Abbott said. The principals were not cowed, he said, declaring, "They thrive on it." Every administrator under Dr. Paige and Dr. Stripling, Mr. Abbott said, has understood "failure is not an option" and "that failure to do our jobs can mean that we could lose those jobs—and that's exactly the way it should be."

As for adequate resources for truant officers to verify dropouts, he said individual schools decided how to use their resources, but added, "money is not the problem, and money by itself won't solve the issues we deal with every day."

To skeptics like Dr. Kimball, the parallels to No Child Left Behind are depressing. The federal law mandates that every child in America pass reading and math proficiency tests by 2004—a goal many educators believe is as impossible as zero dropouts. And like Houston's dropout program, President Bush's education budget has been criticized as an underfinanced mandate, proposing \$12 billion this year for Title I, \$6 billion below what the No Child Left Behind law permits. "This isn't about educating children," Dr. Kimball said. "It's about public relations."

If Houston officials were interested in accountability, he said, they would assign him to a high school to monitor the dropout data that he has come to understand so well. Instead, after he blew the whistle on Sharpstown High, he was reassigned, for four months, to sit in a windowless room with no work to do. More recently, he has been serving as the second assistant principal at a primary school, where, he said, he is not really needed. "I expect when my contract is up next January, I'll be fired," he said. "That's how it works here."

Mr. WARNER. Mr. President, in our efforts to ensure that the United States remains an economic and military superpower in the 21st century, we must strive to improve the quality of

math and science education in this country.

The No Child Left Behind Act took some major steps in the right direction towards improving math and science education at the K-12 level.

However, our work is not done. The Federal Government is not doing enough at the higher education level to ensure that our Nation's colleges and universities are producing graduates to meet our country's national security needs.

This is evidenced by the fact that legislation was signed into law by President Clinton in 2000 to allow America's employers to bring into this country almost 200,000 highly skilled foreign workers a year through the H-1B visa program. America's employers needed these highly skilled workers to fill job vacancies in high tech, engineering, science and other highly skilled positions.

Why couldn't we fill these almost 200,000 job vacancies a year with American workers? Because this country's educational system was not producing enough graduates with degrees in these highly skilled fields to meet the demand.

Admittedly, not long after this legislation was signed into law, America's economy was hit by a decline, and this decline was greatly exacerbated with the events of September 11. But our economy is bouncing back.

Regardless, we must not forget the lessons learned on September 11. One of the clearest messages was that we live in a dangerous and ever-changing world.

Our world is much more dangerous today in many aspects than it was when I served this country with brief tours of duty in World War II and the Korean War.

While citizens of this country sleep each night, the other half of the world is thinking and contriving of every possible way to take the business and the economy from the United States of America. In addition, while we are sleeping, people all over the world are trying to figure out how to come and take our security and our freedom away from us.

Once there was a great ocean that protected this nation. Now, with cyberspace, and all the other modern technologies it is simply one world in economy, one world in national security.

Our country must continually be prepared to meet these threats.

One way we can ensure that we are prepared to meet these ever-changing 21st century threats is to ensure that America's young minds gain the technical expertise necessary to understand and defend against these threats.

Now, I love Shakespeare. I love theater. I love music, and I love political science, sociology and a lot of the liberal arts disciplines. Majors in these disciplines are important to a well-rounded and enlightened citizenry.

However, I also love this country, and I love freedom. Unfortunately,

today, our institutions of higher learning are not producing enough graduates with degrees in the requisite scientific programs to meet our country's future national security needs. If this continues, how will we defend our Nation and defend freedom? Will we rely more heavily on importing highly skilled workers than we have in the past?

To ensure our country's role in the future, we must look within our borders to meet these needs.

Unfortunately, today, a look inside our borders shows that this country is facing a dire shortage of math, science, and engineering students. According to the National Science Foundation (NSF), the engineering, mathematics, and science fields show declining numbers of degrees.

Over the last 20 years, there has been a 20 percent decrease in the number of people receiving bachelors' degrees in engineering.

Moreover, during roughly the same time, the number of students graduating with bachelors in physics has dropped by nearly 20 percent, and the number graduating with a bachelors in mathematics has decreased more than 25 percent.

While the U.S. produces fewer and fewer mathematicians, scientists, and engineers, the rest of the world is making up the difference. And, America is importing them. We are grateful for their willingness to come to our shores and share their exceptional talents.

America, however, must now take steps to encourage, at all levels of our educational process, young people to undertake the training necessary to meet our Nation's demands.

There is no doubt the course work is rigorous, particularly the long hours in the laboratory. I learned firsthand the rigors involved in earning an engineering degree because as a consequence of my military service, I was privileged to receive from my great Nation GI bill education benefits. Without these benefits, I would not have earned my engineering degree and would not have achieved my career goals.

However, given the rigors, and given the great need for graduates with backgrounds in scientific courses of study, it is an absolute necessity for the Congress to help in every way to inspire and reward America's youth to pursue scientific courses of study.

Accordingly, I have submitted an amendment to this bill to encourage individuals to pursue programs of study in math, science, and engineering.

The amendment is simple. It simply provides that the maximum Pell Grant award an individual can receive will be increased by 50 percent if he or she pursues a program of study in math, science, or engineering.

As you know, the Pell Grant program, which is funded at about \$12 billion a year, is one of the most successful and respected educational initiatives taken by the Congress. The concept behind the Pell Grant properly

recognizes the needs of young people coming from economic backgrounds which make it difficult for them to acquire higher education.

Nevertheless, we in the Congress have an obligation when expending taxpayer money, to do so in a manner that meets our Nation's needs. Our Nation desperately needs more trained students in math, science, and engineering. That is an indisputable objective.

The Pell Grant program, in my judgment, offers Congress the opportunity to provide incentives for student recipients to pursue curricula in math, science, and engineering.

My Pell Grant amendment is one idea, but I am certain it is not the only idea. As a member of the Senate's Education Committee, I hope that my chairman, Senator GREGG, will schedule hearings as part of the reauthorization of the Higher Education Act to look into our system of higher education and whether this country is on track to produce graduates who meet the current and projected needs of this country.

At this time, I will not offer my amendment in order to give the Education Committee a sufficient opportunity to address this issue.

At some time in this Congress, though, I fully intend to reintroduce an amendment along these lines after the committee has reviewed the issues, after I get the views of the administration, and after the wide range of people who on a daily basis review the Pell Grant program have an opportunity to share their views as well.

Mr. SPECTER. I ask for the yeas and nays on final passage.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, the next vote will be the last vote of the week. Tomorrow morning, the Senate will convene at 8:30 in order to recognize the second anniversary of the September 11 tragedy. Throughout tomorrow, there will be various events to honor those who perished on that date 2 years ago. Tomorrow morning, there will be four different moments of silence which will begin with the ringing of a bell just outside the Chamber doors. Members are welcome to come to the floor tomorrow morning to participate and give remarks if they choose.

We will also conduct business during tomorrow's session. However, any roll-call votes ordered on Thursday or Friday will be scheduled to occur on Monday. I thank all Members.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I now ask unanimous consent that the Senate insist on its amendment to H.R. 2660, request a conference with the House of Representatives on the disagreeing votes thereon, and that the

Chair be authorized to appoint conferees on the part of the Senate.

The PRESIDING OFFICER. This is following passage of the bill.

Is there objection?

Without objection, it is so ordered.

The bill having been read the third time, the question is, Shall the bill, as amended, pass?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL, I announce that the Senator from New Hampshire (Mr. SUNUNU) and the Senator from Oregon (Mr. SMITH) are absent because of a death in the family.

Mr. REID. I announce that the Senator from North Carolina (Mr. EDWARDS), the Senator from Florida (Mr. GRAHAM), the Senator from Massachusetts (Mr. KERRY), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 347 Leg.]

YEAS—94

Akaka	DeWine	Lott
Alexander	Dodd	Lugar
Allard	Dole	McCain
Allen	Domenici	McConnell
Baucus	Dorgan	Mikulski
Bayh	Durbin	Miller
Bennett	Ensign	Murkowski
Biden	Enzi	Murray
Bingaman	Feingold	Nelson (FL)
Bond	Feinstein	Nelson (NE)
Boxer	Fitzgerald	Nickles
Breaux	Frist	Pryor
Brownback	Graham (SC)	Reed
Bunning	Grassley	Reid
Burns	Gregg	Roberts
Byrd	Hagel	Rockefeller
Campbell	Harkin	Santorum
Cantwell	Hatch	Sarbanes
Carper	Hollings	Schumer
Chafee	Hutchison	Sessions
Chambliss	Inhofe	Shelby
Clinton	Inouye	Snowe
Cochran	Jeffords	Specter
Coleman	Johnson	Stabenow
Collins	Kennedy	Stevens
Conrad	Kohl	Talent
Cornyn	Kyl	Thomas
Corzine	Landrieu	Voinovich
Craig	Lautenberg	Warner
Crapo	Leahy	Wyden
Daschle	Levin	
Dayton	Lincoln	

NOT VOTING—6

Edwards	Kerry	Smith
Graham (FL)	Lieberman	Sununu

The bill (H.R. 2660), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

The PRESIDING OFFICER. Under the previous order, the Senate insists on its amendment and requests a conference with the House on the disagreeing votes of the two Houses.

The Presiding Officer (Mr. COLEMAN) appointed Mr. SPECTER, Mr. COCHRAN, Mr. GREGG, Mr. CRAIG, Mrs. HUTCHISON, Mr. STEVENS, Mr. DEWINE, Mr. SHELBY, Mr. DOMENICI, Mr. HARKIN, Mr. HOLLINGS, Mr. INOUE, Mr. REID, Mr. KOHL,

Mrs. MURRAY, Ms. LANDRIEU, and Mr. BYRD conferees on the part of the Senate.

The PRESIDING OFFICER. The Senator from Kentucky.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators speaking up to 10 minutes each.

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

TRAGIC DEATH OF ARTHUR C. HELTON

Mr. KENNEDY. Mr. President, all of us who knew and worked with Arthur Helton lost a dedicated friend, impassioned human rights activist, and inspiring humanitarian in the bombing of the U.N. headquarters in Iraq last month. I extend my heartfelt sympathy to Arthur's wife Jacqueline and their family during this difficult time. His never-failing spirit, his unique dedication, and his selfless and compassionate approach to all he did will be profoundly missed.

Arthur Helton's extraordinary commitments to human rights and to those in need constantly shone through in the caring and courageous life he led, and will continue to do so in the legacy he leaves behind. At the time of his death, he was attending a meeting with the United Nations envoy to Iraq on ways to improve the plight of the Iraqi people in the wake of the war and condition in which they live.

Throughout his brilliant career, Arthur was always an advocate in the forefront of the ongoing struggle for refugee and human rights, and it is no surprise that he was there at the heart of the action in Iraq at that tragic moment when the guerrillas and terrorists made their murderous move.

As an attorney with the Lawyers Committee for Human Rights, Arthur came to the aid of 2000 Haitian refugees detained in Florida in 1982, obtaining their release and finding volunteer attorneys for each of them. Most recently, he held the position of Director of Peace and Conflict Studies at the Council on Foreign Relations in New York City. There was no limit to his vision. The beautiful life he lived was always an inspiration to all of us who care about respect for human rights in every land on earth.

Time and again, Arthur Helton gave to all of us in Congress invaluable advice on these all-important issues. We were always amazed by his dedication and his expertise, and we were grateful for the unflinching wisdom of his counsel. His death in Baghdad is a great loss for all of us, and for the cause of refugee and human rights he served so passionately and well.

I ask unanimous consent to print in the RECORD the following commentaries on the life of Arthur C. Helton.

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

[From the New York Times, Aug. 21, 2003]

ARTHUR HELTON, 54, REFUGEE ADVOCATE, DIES

(By Paul Lewis)

Arthur C. Helton, a New York lawyer and human rights activist who devoted most of his professional life to the help and protection of refugees, died in the bomb attack on the United Nations headquarters in Baghdad on Tuesday, the Council on Foreign Relations announced yesterday. He was 54.

Mr. Helton, who was the director of peace and conflict studies at the council and senior fellow for refugee studies and preventive action, was visiting Baghdad to assess conditions in Iraq.

When the bomb exploded, the council said, he was scheduled to meet with the top United Nations official there, Sergio Vieira de Mello, who was also killed in the blast.

"Arthur was one of our most respected senior fellows and a noted expert on refugee and humanitarian issues and international law," Richard N. Haass, the council's president, said in a statement. "The world has lost a devoted and talented champion of the rights of the dispossessed."

Last year Mr. Helton published "The Price of Indifference: Refugees and Humanitarian Action in the New Century" (Oxford University Press), in which he analyzed responses to the refugee crises of the 1990's and made practical proposals for improving the treatment of people displaced by conflicts.

The United Nations secretary general, Kofi Annan, wrote in commenting on the book: "Mr. Helton not only asks important questions, but also makes ambitious policy recommendations. His book is a welcome contribution to the debate on humanitarian action and will undoubtedly help us to manage humanitarian challenges better in the future."

Mr. Helton began his work with refugees in 1982 when he joined the Lawyers Committee for Human Rights in New York to lead its Refugee Rights Program, devoted to helping win asylum in the United States for those fleeing political and religious persecution in their home countries.

He created a much-replicated program under which lawyers from some of the most prestigious firms in the United States provided free help to poor refugees in their quest for asylum.

During his first year at the Lawyers Committee, Mr. Helton secured the release of some 2,000 fugitives from Haiti held in Florida after convincing a federal judge that he would find volunteer lawyers to represent them at formal asylum hearings.

"He was one of the first people, if not the first, working at a human rights organization with an exclusive focus on refugee protection of displaced people," said Michael Posner, executive director of the Lawyers Committee. "He was a major force in building concern for refugees, first in the United States and then he took that concern international."

Mr. Helton toured disaster areas to study and help refugees and other displaced people. He was a leading adviser to the United Nations High Commissioner for Refugees on refugee issues.

He was an adjunct professor at Columbia University Law School where he taught immigration law. He also taught at New York University Law School and at the Central European University in Budapest.

Arthur Cleveland Helton was born in St. Louis on Jan. 24, 1949. He graduated from Columbia College in 1971 and from New York

University Law School in 1976. He is survived by his wife, the former Jacqueline Dean Gilbert of New York City. They were married in 1982.

[From the Council on Foreign Relations, 2003 Annual Report]

DEDICATION, ARTHUR C. HELTON, 1949-2003

All of us at the Council on Foreign Relations were deeply saddened by the tragic loss of our colleagues and friend, Arthur C. Helton, in the August 19, 2003, bombing of the United Nations headquarters in Baghdad. Arthur was one of our most distinguished senior fellows and noted expert on refugee and humanitarian issues and international law. A respected lawyer and human rights activist, he devoted his life to improving the lives of others. At the time of his death, he was in Iraq to consult with the United Nations to help find ways to relieve human suffering there.

Arthur was Director of Peace and Conflict Studies and Senior Fellow for Refugee Studies and Preventive Action at the Council. He was also an adjunct professor at Columbia University Law School. Prior to joining the Council in 1999, he founded and directed the Forced Migration Projects at the Open Society Institute and directed the Refugee Project at the Lawyers Committee for Human Rights.

"From representing Haitian boat people incarcerated at the Brooklyn Navy Yard in 1981 in New York, to interviewing displaced Serbs from Kosovo residing in Belgrade in 2001, refugees have taken me on a remarkable professional journey." Arthur wrote in the preface of his 2002 book, *The Price of Indifference: Refugees and Humanitarian Action in the New Century*. Arthur's colleagues at the Council and elsewhere are honored to have witnessed and participated in his remarkable journey. With his death, the world has lost a devoted and talented champion of the rights of the dispossessed. We will miss him.

[From the Lawyers Committee for Human Rights, Aug. 20, 2003]

LAWYERS COMMITTEE MOURNS DEATH OF ARTHUR C. HELTON IN U.N. BOMBING

NEW YORK.—The Lawyers Committee for Human Rights mourns the death of refugee expert Arthur C. Helton, who died in the bombing at the United Nations in Baghdad on Tuesday.

Helton, a leading authority on refugee and humanitarian issues, worked at the Lawyers Committee for 12 years, from 1982 to 1994, where he led the Refugee Rights Program. Helton's most recent position was with the Council on Foreign Relations, as the Director, Peace and Conflict Studies and a Senior Fellow, Refugee Studies and Preventive Action.

"People now talk about how refugee rights are human rights," said Michael Posner, Executive Director of the Lawyers Committee for Human Rights. "Arthur was in the forefront of promoting that idea. He was one of the first people, if not the first, working at a human rights organization with an exclusive focus on refugee protection and the protection of displaced people. He was a major force in building concern for refugees first in the U.S. and then he took that concern international."

When the Lawyers Committee for Human Rights was founded in 1978, one of its programs was devoted to helping win asylum in the United States for those fleeing political and religious persecution in their home countries. Helton took that idea and created an innovative—and now much replicated—pro bono representation program for asylum seekers. His idea was to connect lawyers at

the most prestigious firms in the United States with refugees seeking asylum from persecution, many of whom were indigent. The program Helton started now represents more than 1,000 asylum seekers each year, winning more than 90 percent of its cases.

Helton's first breakthrough in refugee advocacy in the U.S. was in 1982 when close to 2,000 Haitian refugees were being held in detention in Florida.

"Arthur persuaded me to promise a federal judge that if these Haitians were released, we would find volunteer lawyers across the country for all 2,000 Haitians," Posner said. "And he did it. He devised a strategy to identify local lawyers in 20 states. Working with the American Bar Association, he recruited lawyers, trained them and connected them with the Haitian refugees. As we now know, 20 years later, he also helped foster a cadre of lawyers who understand refugee issues, care about refugee rights, and fight for refugee protection."

At the same time, in the early 80s, Helton was at the center of virtually every legislative and regulatory battle involving refugees.

"He shaped U.S. national policy regarding refugees," Posner said. "Over the two decades of Arthur's work, in both Washington and Geneva, he helped countless refugees in all corners of the world."

Helton also focused internationally. He led delegations around the world to study the situation of displaced people in Central America and other refugee issues in Southeast Asia, Africa, Russia, and the Middle East. Because of this work, he was one of the leading outside advisors to the United Nations on refugee issues, and pushed the Office of the U.N. High Commissioner for Refugees to adopt strong refugee protection policies.

"Arthur was right in the center of figuring out how the UN should deal with refugee issues," Posner said. "When he'd go to Geneva, he met with everyone who mattered. It was in the context of this work that he met Sergio de Mello."

At the time of the bombing, Helton was scheduled to meet at the U.N. headquarters in Baghdad with Sergio Vieira de Mello, the U.N.'s chief envoy to Iraq. De Mello was also killed in the bombing.

"Arthur was legendarily hard working and tenacious. He was not afraid to have an audacious idea and he was not afraid to carry it out, which he did successfully" Posner said. "I can remember many times when people—everyone it seemed—would tell Arthur he couldn't do something, and then with his singular grit and determination, he would make it happen. Refugees around the world have lost a tireless advocate, a great friend, and one of their leading and brightest lights."

The Lawyers Committee extends its sympathy to Jackie, Helton's wife, and to his family.

[From abanet.org, Aug. 2003]

STATEMENT OF DENNIS W. ARCHER, PRESIDENT, AMERICAN BAR ASSOCIATION, REGARDING DEATH OF ABA MEMBER ARTHUR HELTON IN IRAQ BOMBING (AUGUST 19, 2003)

A strong and impassioned voice for refugees and immigrants has been silenced. The legal profession feels a profound loss over the death of Arthur C. Helton: lawyer, scholar and humanitarian. Helton was killed in Iraq in the midst of meeting with United Nations officials on important issues facing the war-torn country. He died as he lived, working indefatigably to help rebuild the lives of those who had lost their histories, homes

and borders as a result of armed conflict. His advocacy on behalf of the most vulnerable in our society epitomized the ideals of liberty and justice that the American Bar Association so deeply values. His legacy of selflessness, courage and devotion to the refugee cause serve as an inspiration to all who value human rights. Our thoughts and prayers are with his family.

[From www.opendemocracy.net, Aug. 21, 2003]

ARTHUR HELTON: A TRIBUTE FROM
OPENDEMOCRACY

(By Caspar Henderson and David Hayes)

Arthur C. Helton, Director of Peace and Conflict Studies at the Council on Foreign Relations and a regular columnist for openDemocracy, was killed in the bombing of the United Nations headquarters in Baghdad on 19 August. His colleague and co-columnist, Gil Loescher, was critically injured. Caspar Henderson and David Hayes pay tribute on behalf of openDemocracy.

The bomb attack on the headquarters of the United Nations operation in Baghdad on 19 August which killed the UN special representative in Iraq, Sergio Vieira de Mello, injured more than 100 and killed at least 18 other people. Among the dead was Arthur Helton, the co-columnist of openDemocracy's humanitarian monitor.

The other half of this openDemocracy partnership, Gil Loescher, was critically injured in the blast, and has been transferred to hospital in Germany, where, at the time of writing he is in a critical condition.

Arthur's death is a dreadful loss to his family, friends and colleagues. Our thoughts and condolences are with them. We are with Gil and his family in spirit too.

This tragedy impacts heavily on openDemocracy. Arthur was a good friend of this enterprise and one of the people who made it what it is. He and Gil first approached us with a project and a vision that chimed with what we wanted to do: to facilitate serious, constructive global conversation on key issues of our time. We built up a strong working relationship from which we never ceased to learn new things.

Arthur was a serious, indefatigable scholar with extraordinary range. He was warm and humorous too. I (Caspar Henderson) will not forget his kindness when I visited him in the grand premises of the Council on Foreign Relations in New York earlier this year, and the touch of irony with which he showed me a photographic tribute to his work in the hallway of the Pratt house. In contrast to pictures associated with many of his colleagues, which mainly showed important guys in suits and ties shaking hands or dramatic shots of military situations, Arthur's picture showed a refugee mother and child. "The token soft power guy around here" he joked.

Arthur and Gil's humanitarian monitor combined expert understanding of the many dimensions of humanitarian crises—legal, political, logistical, military, historical—with a willingness to think beyond current models. This search for complex and changing truths led them to interview many of the key figures in the field—from government ministers and UN administrators to refugees and asylum-seekers at the sharpest end of policy.

Because of their true seriousness and refusal to posture, their column reached out to and was read by influential actors and thinkers across a range of bodies and ways of looking at the world, including the military and academic communities, international institutions and activists. Sergio Vieira de Mello was an enthusiastic reader of their work on openDemocracy, recommending it warmly to

others (according to reports, Sergio and Arthur were meeting together when the bomb went off).

Arthur and Gil's columns for openDemocracy on Iraq were only part of their concern with crises of human displacement, food insecurity, health and shelter deprivation—and how these problems are dealt with (usually inadequately, and often without taking to heart the lessons of the past) by state, humanitarian and other organisations. There was huge and important work to be done here, and for openDemocracy's global membership to engage with. We had hardly begun.

We salute Arthur Helton. We will miss him very much. We commit ourselves to building on his work and helping to make real the better world to which he dedicated his life. There is much to do.

[From Human Rights Watch, Aug. 20, 2003]

HUMAN RIGHTS WATCH MOURNS DEATH OF
REFUGEE ADVOCATE ARTHUR C. HELTON

Human Rights Watch mourns the loss of Arthur Helton, a leading advocate for refugees and internally displaced persons, who was among the victims of the bombing of the United Nations headquarters in Baghdad.

Arthur Helton, director of peace and conflict studies at the Council on Foreign Relations in New York, was a valued colleague and longtime friend to Human Rights Watch. He was among the small circle of advisors who first encouraged and supported Human Rights Watch's work on the rights of refugees and displaced persons. He was a member of the advisory committee of Human Rights Watch's Africa Division and provided ready advice on a wide range of refugee issues from Eastern Europe to North Korea. Despite his own busy schedule, he was generous with his time and expertise and his judgments were always measured, thoughtful and insightful.

But more than this, as head of the Refugee Program at the Lawyers Committee for Human Rights, the Forced Migration Project at the Open Society Institute, and as a law professor at NYU and Columbia, Arthur Helton was an invaluable mentor to many Human Rights Watch staff members. He was a great friend to many of us, who found his acerbic wit a cheering tonic while battling official indifference.

His death is a loss not only to Human Rights Watch and other international organizations, but to the millions of refugees and displaced persons the world over who benefited, however unknowingly, from his hard-nosed and persuasive advocacy. Last year the increasingly slim and trim Arthur ran and completed the New York Marathon. On explaining his reason for going to Iraq, Arthur had insisted it was "to avoid running another marathon!"

Human Rights Watch extends its condolences to Arthur's wife Jacqueline Gilbert; and to his longtime assistant Marie Jeannot.

[From www.phrusa.org, Aug. 20, 2003]

PHR MOURNS THE LOSS OF LONGTIME
REFUGEE ADVOCATE ARTHUR C. HELTON

Physicians for Human Rights (PHR) mourns the loss of Arthur C. Helton, a great thinker and leader in the defense of refugee rights. Arthur Helton died in Tuesday's bomb attack on the UN office in Baghdad where he was scheduled to meet with the UN's Sergio Vieira de Mello, also killed in the blast.

"This is a devastating loss," said Susannah Sirkin, Deputy Director of Physicians for Human Rights. "Human rights and refugee advocates have lost one of the most knowledgeable, experienced, and dedicated experts defending men, women, and children displaced from their homes. The lives of count-

less people benefited immeasurably by Arthur's work."

A lawyer, human rights activist, and policy analyst, Arthur was the long-time director of the Lawyers Committee for Human Rights' Refugee Project. One of the foremost experts in refugee law, he founded the Forced Migration Project at the Open Society Institute in New York City. Most recently he served as the Director of Peace and Conflict Studies and senior fellow for refugee studies and preventative action at the Council of Foreign Relations.

Helton also contributed to PHR's publication Medical Victims of Torture: A Physicians Guide to Asylum Cases.

PHR staff expressed their personal appreciation for Arthur's deep commitment to improving the lives of those who have suffered untold misery, and their deepest condolences to his wife, Jacqueline, and his family and friends.

[From www.lirs.org]

LIRS AND ISS-USA MOURN LOSS OF GREAT
HUMANITARIAN

Lutheran Immigration and Refugee Service (LIRS) and its subsidiary International Social Service, United States of America Branch (ISS-USA) join myriad human rights and immigrant advocates around the world in mourning the loss of Arthur C. Helton. A New York human rights lawyer who served as director of peace and conflict studies and senior fellow for refugee studies and preventative action for the Council on Foreign Relations, Arthur died in the August 19 bombing of the United Nations headquarters in Baghdad, where he had gone to assess humanitarian conditions. He was 54.

While mourning his loss, we are thankful for his long and generous friendship and service to our agencies, especially his service as chair of the board of directors for ISS-USA from 1994 through 2003.

Arthur's death is a tragic loss to refugees, asylum seekers and displaced people and to all those dedicated to peace and justice. A distinguished and prolific scholar, he was a citizen of the world with a deep understanding of geopolitical forces and realities. Arthur's visionary spirit was balanced with realism, and he was capable of responding to complex problems by mobilizing systemic change to dramatically alter daily life for millions. As a mentor and inspiration to many, his life was a catalyst for linking people across agencies, ideologies and borders. The memory of his life and work will continue to guide and inspire us.

Condolences may be sent to Arthur's widow, Ms. Jacqueline D. Gilbert, 245 7th Avenue, Apartment 10B, New York, N.Y. 10001

SENATOR VANCE HARTKE

Mrs. BOXER. Mr. President, I join my colleagues in paying tribute to former Senator Vance Hartke of Indiana, who passed away this summer.

Throughout his three terms in the Senate, Vance Hartke was known for his tremendous energy, vision, and courage.

First elected to the Senate as part of the great Democratic class of 1958, Vance Hartke campaigned with legendary vigor and vim, visiting every county and town in Indiana and stopping to talk and listen to everyone who would stand still. He worked hard to benefit his home State, using his chairmanship of the Commerce Transportation Subcommittee to bring key road and rail projects to the Hoosier State.

Senator Hartke helped enact landmark legislation, including the progressive programs that made up President Lyndon B. Johnson's Great Society. Despite fierce opposition, he helped steer Medicare through Congress. He was the Senate's acknowledged champion of higher education and adult education, and he also helped lead the efforts to expand veterans benefits and establish Federal student loan programs.

In the mid-1960s, Senator Hartke put his political future on the line when he became one of the first Senators to oppose the war in Vietnam. In following his conscience, he parted ways with most of his constituents and his good friend President Johnson, but he stuck to his principles and survived a bruising reelection campaign in 1970.

Though Senator Hartke lost his Senate seat in 1976, he became a good friend and adviser to the man who defeated him, Senator RICHARD LUGAR, and he never lost his passion for politics or his home State.

Senator Vance Hartke served the people of Indiana and the U.S. Senate with great distinction. I am honored to add my voice to the chorus of praise for his life's work and legacy.

ADDITIONAL STATEMENTS

TRIBUTE TO COLORADO STORM ROYAL

• Mr. CAMPBELL. Mr. President, today I want to recognize and congratulate a special group of young Coloradans, the Colorado Storm Royal soccer team.

The Colorado Storm Royal is a team in the Under 12 age bracket, U12, and they are coached by Mr. Jim Morrison. Mr. Morrison has coached Colorado youth soccer for the past 17 years and 34 seasons, and has taken his teams to the Western Region tournament eight times. Out of those eight appearances, his teams have reached the final game four times, losing to California teams three previous times and then winning the Championship this past year.

The Colorado Storm Royal had a remarkable record the past 10-month period, with 35 wins and 0 losses. They played their games at the Premier 1 level, which in Colorado is the highest level of competitive youth soccer.

Their accomplishments are certainly commendable—Undeclared and untied in 35 straight Premier 1 games in Colorado; Colorado State Cup Champions, Western Regional Champions, and they were ranked No. 1 in the United States by National Soccer Rankings.com.

The members of this team are all Colorado residents whose families live and work in the Denver area. The commitment by all to make these accomplishments a reality is especially worth noting, because unlike other areas of the country where teams can practice 365 days of the year, we don't have that same luxury in Colorado. So the boys

and their families make a concentrated effort to not only remain active in school and throughout the community but also to get to a more limited practice schedule.

There are 16 individuals on the Colorado Storm Royal team, and I believe they deserve to be mentioned here today. They are: Anise Abdulgaseem, Junior Amaya, Cody Arnold, John Ellison, Matt Hammet, Matthew Hustead, Chris Klebieko, Tyler Lister, Andrew Love, Dirk MacDonald, Matthew Nier, Augustus Ogu, Ryan Rombach, Brendan Roslund, Peter Walker and Charlie Zeller.

To these outstanding young players, their families, their coaches, and their supporters, I offer my most sincere congratulations on a winning season and my best wishes for another outstanding season of Colorado soccer. They are examples of what hard work and determination bring when we set ourselves to achieving goals.●

IN TRIBUTE TO GEORGE GARRIS

• Mr. HOLLINGS. Mr. President, this month George Garriss, the longest serving refuge manager in the U.S. Fish and Wildlife Service, announced he will be retiring and I rise to salute him. There's no question in my mind that George has done more to protect the wildlife in my State than anyone I know. He is the Teddy Roosevelt of South Carolina.

For years George has been telling me he would retire as soon as he finished this one project. Then he would find another project—and the same thing, he was going to retire when it was done. This went on and on for years and years. It went on because George wanted to leave future generations something good. He pushed to save thousands of acres of natural habitats in my State. Years from now when we still enjoy South Carolina's natural beauty, we can thank George Garriss.

George began his productive career in the Fish and Wildlife Service in 1959, and today is the steward of four South Carolina Lowcountry refuges that he helped create or expand—the ACE Basin, the Santee and Waccamaw Refuges, and Cape Romain. He also successfully saved both the endangered red wolf and loggerhead sea turtles.

We will miss George, and I know all the Members of this body join me in thanking him for his esteemed public service and wishing him happiness and good health in the years ahead.●

VA MARKS THE 30TH ANNIVERSARY OF ITS CEMETERY SYSTEM

• Mr. GRAHAM of Florida. Mr. President, today I rise to celebrate 30 years of the VA cemetery system. "Celebrate" may seem a strange word to use in reference to something so closely tied with mourning, but it is appropriate that we do just that. VA's national cemetery system is one of its

most precious resources, providing our veterans the final respect and honor they have earned.

VA's operation of the National Cemetery Administration dates from September 1, 1973, when Congress transferred control of the national cemeteries from the Department of Army to what was then the Veterans Administration. Those cemeteries joined the ones already operated by VA, and the National Cemetery System—now the National Cemetery Administration—was created.

America's history of providing a final resting place to our veterans extends back before 1973, when the Civil War left hundreds of thousands of soldiers dead. In the spirit of Abraham Lincoln's words that the Nation must "care for him who shall have borne the battle, and for his widow and his orphan," Congress established national cemeteries in order to fulfill that commitment.

Today, the National Cemetery Administration ensures that our veterans have a proper burial and maintains the national cemeteries as shrines to their memory. Since taking over the national cemetery system, VA has seen an increase in annual burials from 36,400 to a record 89,300 in 2002. More and more veterans are choosing to be laid to rest in national cemeteries than ever before. This choice is a testament to the devotion that the employees of the VA's National Cemetery Administration show in performing their duties.

In noting the importance of the National Cemetery Administration and in honoring its extensive history, I must also point to the need to ensure its future. Nearly 655,000 veteran are expected to die this year, and even more will die in each of the next 5 years. By the end of 2004, only 64 of the 124 veterans national cemeteries will be available for both casketed and cremated remains. As cemetery capacity decreases, veterans in areas near those closing cemeteries lose access to burial options. In order to ensure that proper funeral honors are provided for veterans and their family members, we must develop new cemeteries and expand existing cemeteries. In such cities as Birmingham, AL; Bakersfield, CA; Columbia/Greenville, SC; Philadelphia, PA; and, in my own State, Sarasota and Jacksonville, FL, more than 175,000 veterans in each of these areas are currently without full burial options. We must ensure that their sacrifice is honored.

One of the most difficult things we do is cope with the death of someone we love. By guaranteeing a burial that benefits the sacrifice of our Nation's soldiers, the National Cemetery Administration mitigates some of that pain and commemorates the service and lives of our veterans.●

IN RECOGNITION OF FERN
BELLMORE

• Mr. LEVIN. Mr. President, it is with great pride that I pay tribute to an extraordinary American who has shown great commitment to furthering the democratic process. On September 13, Fern Bellmore will be presented with the Daune Weiss award at the Northern Michigan County Democratic Party Dinner, also known as the "Bash." Fern has worked tirelessly, raised a family, been actively involved in her community, and made great contributions in the political arena throughout her life and continues to do so to this day.

In November, Fern and her husband, Robert, will celebrate 52 years of marriage surrounded by their 5 children, 11 grandchildren, and 5 great-grandchildren. In addition to raising a family, Fern also worked for 22 years at Cadillac Products in Alpena, MI. While working at Cadillac Products, Fern was pivotal in the unionization of the shop for the United Steelworkers and continued to be an active union member after her retirement.

Fern's commitment to her community is evident through her continued involvement with several organizations. For many years she has been an active den mother for Cub Scouts, working with area youth to inspire and influence the future generations of this country. She has also worked closely with the American Cancer Society, Hospice, and The American Red Cross. Locally, Fern has served for many years, some as chair, on the Presque Isle County Board of Canvassers and is currently on the Board of Social Service for Presque Isle County.

Fern has been active in the Democratic Party for over 20 years. During the majority of this time she was the Chair of the Presque Isle County Democratic Party. She helped establish the "Bash" in her determination to increase participation in elections for State representatives for Presque Isle County. Fern has also worked on numerous campaigns for local, State, and national candidates.

Fern's unwavering support of her community and continued dedication to the democratic process has benefited citizens throughout northern Michigan and the entire State. Her commitment as a community leader and grassroots political activist has been a true inspiration to others around her. I am pleased to congratulate her on receiving the Daune Weiss award and salute Fern Bellmore for her service to the community as an outstanding citizen.●

JOSEPH AND VIVIAN SAFRANEK
60TH WEDDING ANNIVERSARY

• Mr. KOHL. Mr. President, I rise today to honor Joseph and Vivian Safraneck, long-time residents of Wisconsin, on their 60th wedding anniversary. Joseph and Vivian met at the Pine Mountain Ski tournament in 1942

when Joseph offered Vivian a ride in his convertible. It was the beginning of an incredible journey.

The couple was married at Kingsford's Our Redeemer Lutheran Church on September 18, 1943. After living in the Upper Peninsula, Joseph and Vivian moved to Milwaukee in 1950. Life wasn't always easy; money was tight, and they had four children to raise. But from the beginning, they persisted by supporting each other with lasting love and devotion.

Joseph worked for over 30 years as a route salesman, first at Milwaukee Cheese Company, then at Continental Baking. He knew my dad, and remembers me as "one of Max's boys."

Today, many years later, their story continues. Their four children have grown up to be successful adults themselves, providing Joseph and Vivian with seven grandchildren and soon, their first great-grandchild. Their legacy is one of hard-work, determination, and a strong family.

I join their many friends and their family in celebration as we honor Joseph and Vivian Safraneck on their 60th wedding anniversary. They are the very best Wisconsin has to offer, and I wish them continued joy and happiness.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT RELATIVE TO THE NATIONAL EMERGENCY WITH RESPECT TO THE TERRORIST ATTACKS OF SEPTEMBER 11, 2001—
PM 48

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. Consistent with this provi-

sion, I have sent to the *Federal Register* the enclosed notice, stating that the emergency declared with respect to the terrorist attacks on the United States of September 11, 2001, is to continue in effect for an additional year.

The terrorist threat that led to the declaration on September 14, 2001, of a national emergency continues. For this reason, I have determined that it is necessary to continue in effect after September 14, 2003, the national emergency with respect to the terrorist threat.

GEORGE W. BUSH.

THE WHITE HOUSE, September 10, 2003.

MESSAGE FROM THE HOUSE

At 2:59 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2765. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2004, and for other purposes.

At 7:07 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2989. An act making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2004, and for other purposes.

The message further announced that the House disagrees to the amendment of the Senate to the bill (H.R. 2555) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following members as the managers of the conference on the part of the House: Mr. ROGERS of Kentucky, Mr. YOUNG of Florida, Mr. WOLF, Mr. WAMP, Mr. LATHAM, Mrs. EMERSON, Ms. GRANGER, Mr. SWEENEY, Mr. SHERWOOD, Mr. SABO, Mr. PRICE of North Carolina, Mr. SERRANO, Ms. ROYBAL-ALLARD, Mr. BERRY, Mr. MOLLOHAN, and Mr. OBEY.

MEASURES PLACED ON THE
CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2765. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2004, and for other purposes.

H.R. 2989. An act making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2004, and for other purposes.

EXECUTIVE AND OTHER
COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4017. A communication from the General Counsel, Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule entitled "Privacy Act and Freedom of Information Act; Implementation" (RIN3069-AB07) received on August 13, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4018. A communication from the General Counsel, Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule entitled "Amendments to the Description of Organization and Functions Regulation" (RIN3069-AB25) received on August 13, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4019. A communication from the General Counsel, Office of General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Rules of NCUA Board Procedure; Promulgation of NCUA Rules and Regulations; Public Observance of NCUA Board Meetings" received on August 26, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4020. A communication from the President and Chairman, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Iraq; to the Committee on Banking, Housing, and Urban Affairs.

EC-4021. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the national emergency declared in Executive Order 13303; to the Committee on Banking, Housing, and Urban Affairs.

EC-4022. A communication from the Chairman, National Credit Union Administration, transmitting, pursuant to law, the 2001 Annual Report of the National Credit Union Administration; to the Committee on Banking, Housing, and Urban Affairs.

EC-4023. A communication from the Director, Office of White House Liaison, Bureau of Industry and Security, transmitting, pursuant to law, the report of a designation of acting officer and change in previously submitted reported information for the position of Assistant Secretary for Export Enforcement, received on September 2, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4024. A communication from the Director, Office of White House Liaison, Bureau of Industry and Security, transmitting, pursuant to law, the report of a nomination and change in previously submitted information for the position of Assistant Secretary for Export Enforcement, received on September 2, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4025. A communication from the Director, Office of White House Liaison, Bureau of Industry and Security, transmitting, pursuant to law, the report of a nomination and change in previously submitted reported information for the position of Assistant Secretary for Export Administration, received on September 2, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4026. A communication from the Deputy Secretary, Division of Market Regulation, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Broker-Dealer Exemption from Sending Certain Financial Information to Customers" received on August 11, 2003; to

the Committee on Banking, Housing, and Urban Affairs.

EC-4027. A communication from the General Counsel, Office of General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Organization and Operations of Federal Credit Unions" received on August 11, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4028. A communication from the Director, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, a report of the details of the Office's 2003 compensation plan; to the Committee on Banking, Housing, and Urban Affairs.

EC-4029. A communication from the Chief Operating Officer and President, Resolution Funding Corporation, transmitting, pursuant to law, the Corporation's Statement on Internal Controls and the 2001 Audited Financial Statements; to the Committee on Banking, Housing, and Urban Affairs.

EC-4030. A communication from the President and Chairman, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Uzbekistan; to the Committee on Banking, Housing, and Urban Affairs.

EC-4031. A communication from the President and Chairman, Export-Import Bank of the United States, transmitting, pursuant to law, the report of a transaction involving U.S. exports to Bahrain; to the Committee on Banking, Housing, and Urban Affairs.

EC-4032. A communication from the Director, FDIC Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Prohibition Against Use of Interstate Branches Primarily for Deposit Production" (RIN3064-AC36) received on August 11, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4033. A communication from the Director, FDIC Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Risk Based Capital Standards: Claims on Securities Firms" (RIN3064-AC17) received on August 11, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4034. A communication from the General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a vacancy for the position of Chief Financial Officer, Department of Housing and Urban Development, received on September 2, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4035. A communication from the Acting General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" (Doc. No. FEMA-D-7543) received on September 2, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4036. A communication from the Acting General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (44 CFR 67) received on September 2, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4037. A communication from the Acting General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (44 CFR 67) received on September 2, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4038. A communication from the Acting General Counsel, Federal Emergency Man-

agement Agency, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" (44 CFR 65) received on September 2, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4039. A communication from the Acting General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (44 CFR 67) received on September 2, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4040. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Distribution of Tax Credit Proceeds" (RIN2502-AH91) received on September 2, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4041. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Public Housing Capital Fund Program Obligation and Expenditure of Funds" (RIN2577-AC16) received on September 2, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4042. A communication from the Deputy Congressional Liaison, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Regulation T (Credit by Brokers and Dealers) - Foreign Margin Stock List" received on September 2, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4043. A communication from the Assistant General Counsel for Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Non-profit Organization Participation in Certain FHA Single Family Activities; Placement and Removal Procedures" (RIN2502-AH49) received on September 2, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4044. A communication from the General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a nomination for the position of Director, Office of Federal Housing Enterprise Oversight, received on September 2, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4045. A communication from the Acting Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting, the Commission's Annual Report for Fiscal Year 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-4046. A communication from the Chairman, National Credit Union Administration, transmitting, pursuant to law, the report of an adjustment of a compensation system; to the Committee on Banking, Housing, and Urban Affairs.

EC-4047. A communication from the President and Chairman of the Export-Import Bank of the United States, transmitting, pursuant to law, the report of a transaction involving U.S. exports to Uzbekistan; to the Committee on Banking, Housing, and Urban Affairs.

EC-4048. A communication from the Under Secretary, Emergency Preparedness and Response, Federal Emergency Management Agency, transmitting, pursuant to law, a report that funding for the State of New York as a result of the record/near record snowstorms on February 17-18, 2003, has exceeded

\$5,000,000; to the Committee on Banking, Housing, and Urban Affairs.

EC-4049. A communication from the Under Secretary, Emergency Preparedness and Response, Federal Emergency Management Agency, transmitting, pursuant to law, a report that funding for the State of Colorado as a result of the record/near record snowstorms on March 17-20, 2003, has exceeded \$5,000,000; to the Committee on Banking, Housing, and Urban Affairs.

EC-4050. A communication from the Under Secretary, Emergency Preparedness and Response, Federal Emergency Management Agency, transmitting, pursuant to law, a report that funding for the State of New Jersey as a result of the record/near record snowstorms on February 16-17, 2003, has exceeded \$5,000,000; to the Committee on Banking, Housing, and Urban Affairs.

EC-4051. A communication from the Under Secretary, Emergency Preparedness and Response, Federal Emergency Management Agency, transmitting, pursuant to law, a report that funding for the State of Maryland as a result of the record/near record snowstorms on February 14-17, 2003, has exceeded \$5,000,000; to the Committee on Banking, Housing, and Urban Affairs.

EC-4052. A communication from the Under Secretary, Emergency Preparedness and Response, Federal Emergency Management Agency, transmitting, pursuant to law, a report that funding for the Commonwealth of Pennsylvania as a result of the record/near record snowstorms on February 14-19, 2003, has exceeded \$5,000,000; to the Committee on Banking, Housing, and Urban Affairs.

EC-4053. A communication from the Director, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, a report relative to the Office's 2002 compensation plan; to the Committee on Banking, Housing, and Urban Affairs.

EC-4054. A communication from the Senior Paralegal, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Federal Savings Association—Operations, Agency Offices; Fiduciary Powers of Savings Associations" (RIN1550-AB80) received on September 8, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4055. A communication from the Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Foreign Assets Control Regulations; Reporting and Procedures Regulations; Cuban Assets Control Regulations: Publication of Revised Civil Penalties Hearing Regulations" received on September 8, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4056. A communication from the Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Foreign Assets Control Regulations; Reporting and Procedures Regulations; Cuban Assets Control Regulations: Publication of Revised Civil Penalties Hearing Regulations" received on September 8, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-4057. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, three reports required under the Nuclear Non-Proliferation Act of 1978 relative to U.S. Government departments and agencies relating to the prevention of nuclear proliferation between January 1, 2000 and December 31, 2002; to the Committee on Foreign Relations.

EC-4058. A communication from the Acting General Counsel, Department of Defense, transmitting, a report of proposed legislation; to the Committee on Foreign Relations.

EC-4059. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC-4060. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments 38 Amendment No. 3066" (RIN2120-AA65) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4061. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 737-600, 737-700, 737-700C, 737-800, 737-900, 757, and 767 Series Airplanes" (RIN2120-AA64) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4062. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Model A330 and A340 Series Airplanes" (RIN2120-AA64) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4063. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: McDonnell Douglas Model 717-200 Airplanes" (RIN2120-AA64) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4064. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (54)" (RIN2120-AA65) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4065. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Schweizer Aircraft Corporation Model 269A, 269A-1, 269B, 269C, and TH55A Helicopters" (RIN2120-AA64) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4066. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 737-200, 737-400, 737-300, 737-500, 737-600, 737-700, 737-800, 737-900, 757-200, and 757-300 Series Airplanes and McDonnell Douglas Model DC-10-10F, DC-10-30, DC-10-30F, DE-10-40, MD-11F" (RIN2120-AA64) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4067. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Bell Helicopter Textron Canada Model 206A, 206A-1, 206B, 206B-1, 206L, 206L-1, 206L-3, 206L-4 Helicopters" (RIN2120-) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4068. A communication from the Paralegal Specialist, Federal Aviation Adminis-

tration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Bell Helicopter Textron Canada Model 222, 222B, and 222U Helicopters" (RIN2120-AA64) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4069. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 737-200, 200C, 300, 400, and 500 Series Airplanes" (RIN2120-AA64) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4070. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Sac City, IA, Correction" (RIN2120-AA66) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4071. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Sibley, IA Correction" (RIN2120-AA66) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4072. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Red Oak, IA Correction" (RIN2120-AA66) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4073. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Vinton, IA" (RIN2120-AA66) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4074. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Pocohontas, IA Correction" (RIN2120-AA66) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4075. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Sioux City, IA" (RIN2120-AA66) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4076. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Wichita MidContinent Airport, KS" (RIN2120-AA66) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4077. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace Area at Susanville Municipal Airport, CA" (RIN2120-AA66) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4078. A communication from the Paralegal Specialist, Federal Aviation Adminis-

transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Falls City, NE" (RIN2120-AA66) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4079. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Window Rock, AZ Correction" (RIN2120-AA66) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4080. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Office of Sustainable Fisheries, transmitting, pursuant to law, the report of a rule entitled "Final Rule to Raise the Maximum Retainable Percentage of Pollock Roe from 7 to 9 Percent in the Bering Sea and Aleutian Islands Management" received on August 11, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4081. A communication from the Assistant Administrator, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled "Ballast Water Treatment Technology Demonstration Program: Request for Proposals for FY 2002" received on August 11, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4082. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled "Closure; Prohibiting Directed Fishing for Pacific Ocean Perch in the Central Aleutian District of the Bering Sea and Aleutian Islands Management Area" received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4083. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled "Rule Title Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; End of the Primary Season and Resumption of Trip Limits for the Shore-based Fishery for the Pacific Whiting" (ID071103A) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4084. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Inseason Action #1—Adjustment of the Commercial Fishery from the U.S. Canada Border to Cape Falcon, Oregon" (ID062503A) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4085. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled "Closure; Prohibiting Directed Fishing for Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska" received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4086. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled "Closure; Prohibiting Directed Fishing for Pacific Ocean Perch in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area" received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4087. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Annual Specifications and Management Measures; Trip Limit Adjustment" (ID062703A) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4088. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled "Closure; Prohibiting Directed Fishing for Pacific Ocean Perch in the Central Regulatory Area of the Gulf of Alaska" received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4089. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled "Closure; Prohibiting Directed Fishing for Pacific Ocean Perch in the West Yakutat District of the Gulf of Alaska" received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4090. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled "NMFS is Prohibiting Directed Fishing for Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska" received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4091. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled "Closure of directed fishing for yellowfin sole by vessels using trawl gear in Bycatch Limitation Zone 1 (Zone 1) of the Bering Sea and Aleutian Islands management area. This action is necessary to prevent exceeding the 2002 bycatch allowance of red king crab specified for the trawl yellowfin sole fishery category in Zone 1" received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4092. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Pacific Halibut and Red King Crab Bycatch Rate Standards for the Second Half of 2002" received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4093. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Closes Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska" received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4094. A communication from the Chairman, General Counsel's Office, Surface Transportation Board, transmitting, pursuant to law, the report of a rule entitled "Arbitration—Various Matters Relating to its Effective Use as an Effective Means of Resolving Disputes that are Subject to the Board's Jurisdiction" (Stb Ex Parte No. 586) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4095. A communication from the Attorney, Research and Special Programs Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials; Mis-

cellaneous Amendments" (RIN2137-AD73) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4096. A communication from the Attorney-Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Placement of Wheelchair Restraints on Buses" (RIN2127-AH03) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4097. A communication from the Attorney Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Definition of Multi-function School Activity Bus" (RIN2127-AH23) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4098. A communication from the Attorney Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Heavy Vehicle Antilock Brake System Performance Requirement" (RIN2127-AH16) received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4099. A communication from the Secretary of Transportation, transmitting, a draft of proposed legislation; to the Committee on Commerce, Science, and Transportation.

EC-4100. A communication from the Attorney/Advisor, Office of the Secretary, Department of Transportation, transmitting, pursuant to law, the report of a nomination for the position of Associate Deputy Secretary, Department of Transportation, received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4101. A communication from the Attorney/Advisor, Office of the Secretary, Department of Transportation, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Transportation Policy, Department of Transportation, received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4102. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Government-Owned Contractor-Operated Vehicle Fleet Management and Reporting" received on August 13, 2003; to the Committee on Commerce, Science, and Transportation.

EC-4103. A communication from the Under Secretary of Commerce for Oceans and Atmosphere, Department of Commerce, transmitting, pursuant to law, a report relative to activities of the Northwest Atlantic Fisheries Organization for 2002; to the Committee on Commerce, Science, and Transportation.

EC-4104. A communication from the Administrator, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report relative to cabin air quality research done by the Federal Aviation Administration; to the Committee on Commerce, Science, and Transportation.

EC-4105. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, the Commission's latest monthly report on the status of its licensing and regulatory duties; to the Committee on Environment and Public Works.

EC-4106. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Hunting: Early Seasons and Bag

and Possession Limits for Certain Migratory Game Birds in the Contiguous United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands" (RIN1018-AI93) received on August 22, 2003; to the Committee on Environment and Public Works.

EC-4107. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, a copy of a document related to the Agency's regulatory programs; to the Committee on Environment and Public Works.

EC-4108. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Michigan; Definition of Volatile Organic Compound" (FRL#7526-9) received on September 2, 2003; to the Committee on Environment and Public Works.

EC-4109. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; Wisconsin" (FRL#7528-7) received on September 2, 2003; to the Committee on Environment and Public Works.

EC-4110. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; Minnesota" (FRL#7543-6) received on September 2, 2003; to the Committee on Environment and Public Works.

EC-4111. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, the Commission's latest monthly report on the status of its licensing and regulatory duties; to the Committee on Environment and Public Works.

EC-4112. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Hunting; Final Frameworks for Early Season Migratory Bird Hunting Regulations" (RIN1018-AI93) received on August 22, 2003; to the Committee on Environment and Public Works.

EC-4113. A communication from the Director, Office of White House Liaison, Department of Commerce, transmitting, pursuant to law, the report of a designation of acting officer and change in previously submitted reported information for the position of Assistant Secretary and Director General of the U.S. and Foreign Commercial Service; referred jointly, pursuant to the order of January 30, 1975 as modified by the order of April 11, 1986; to the Committees on Commerce, Science, and Transportation; and Banking, Housing, and Urban Affairs.

EC-4114. A communication from the Acting Trade Representative, Executive Officer of the President, transmitting, pursuant to law, a notification of the pending accession to the World Trade Organization of the Kingdom of Cambodia; to the Committee on Finance.

EC-4115. A communication from the Commissioner, Social Security Administration, transmitting, a draft of proposed legislation; to the Committee on Finance.

EC-4116. A communication from the Chief, Regulations Branch, Bureau of Customs and Border Protection, transmitting, pursuant to law, the report of a rule entitled "Performance of Customs Business by Parent and Subsidiary Corporations" (RIN1515-AD14) received on August 11, 2003; to the Committee on Finance.

EC-4117. A communication from the Chief, Regulations Branch, Bureau of Customs and Border Protection, transmitting, pursuant to

law, the report of a rule entitled "Delegations of Authority: Signature of Customs and Border Protection Regulations Published in Federal Register" (RIN1515-AD39) received on August 11, 2003; to the Committee on Finance.

EC-4118. A communication from the Chief, Regulations Branch, Bureau of Customs and Border Protection, transmitting, pursuant to law, the report of a rule entitled "Extension of Emergency Import Restrictions Imposed on Ethnological Material from Cyprus" (RIN1515-AD38) received on August 11, 2003; to the Committee on Finance.

EC-4119. A communication from the Senior Paralegal, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Lending and Investment" (RIN1550-AB37) received on September 2, 2003; to the Committee on Finance.

EC-4120. A communication from the Director, Office of White House Liaison, Department of Commerce, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary for Import Administration, International Trade Administration, Department of Commerce, received on September 2, 2003; to the Committee on Finance.

EC-4121. A communication from the Chief, Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Valuation of Stock Options for Purposes of Golden Parachute Payments" (Rev. Rule 2003-68) received on August 11, 2003; to the Committee on Finance.

EC-4122. A communication from the Chief, Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Domestic Asset/Liability and Domestic Investment Yield Percentages for 2002" (Rev. Proc. 2002-70) received on August 11, 2003; to the Committee on Finance.

EC-4123. A communication from the Chief, Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Canadian Retirement Trust Plan Reporting" (Notice 2003-57) received on August 11, 2003; to the Committee on Finance.

EC-4124. A communication from the Chief, Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Revision of Income Tax Regs Under Sec. 897, 1445, and 6109 to Require Taxpayer Identification Numbers" (RIN1545-AY24) received on August 11, 2003; to the Committee on Finance.

EC-4125. A communication from the Chief, Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Golden Parachute Payments" (TD9083) received on August 11, 2003; to the Committee on Finance.

EC-4126. A communication from the Chief, Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Dual Consolidated Loss Recapture Events" (RIN1545-AY27) received on August 11, 2003; to the Committee on Finance.

EC-4127. A communication from the Chief, Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Arbitrage and Private Activity Restrictions Applicable to Tax-exempt Bonds Issued by State and Local Governments; Investment Type Property (prepayment); Private Loan (prepayment)" (TD9085) received on August 11, 2003; to the Committee on Finance.

EC-4128. A communication from the Chief, Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Coverdell Education Savings Accounts" (Notice 2003-53) received on August 11, 2003; to the Committee on Finance.

EC-4129. A communication from the Chief, Regulations Unit, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Treatment of a Cash Distribution Made in Connection with a Reduction of Benefits Under a Life Insurance Contract" (Rev. Rul. 2003-95) received on August 11, 2003; to the Committee on Finance.

EC-4130. A communication from the Regulations Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Elimination of Sanctions for Refusal of Vocational Rehabilitation Services Without Good Cause" (RIN0960Z-AF81) received on August 11, 2003; to the Committee on Finance.

EC-4131. A communication from the Attorney, Office of the General Counsel, Bureau of Customs and Border Protection, transmitting, pursuant to law, the report of a rule entitled "Interim Rule: Suspension of Immediate and Continuous Transit Agreements" received on August 11, 2003; to the Committee on Finance.

EC-4132. A communication from the Secretary of the Treasury, transmitting, the report of a bookkeeping error relating to the Federal Hospital Insurance fund; to the Committee on Finance.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. GRAHAM of South Carolina:

S. 1603. A bill the amend title 18 of the United States Code, to prohibit the unauthorized use of military certificates, and for other purposes; to the Committee on the Judiciary.

By Mr. SPECTER:

S. 1604. A bill to increase criminal penalties relating to terrorist murders, deny Federal benefits to terrorists, and for other purposes; to the Committee on the Judiciary.

By Mr. GRAHAM of Florida (for himself and Mr. REID):

S. 1605. A bill to authorize major medical facility projects for the Department of Veterans Affairs in connection with the Capital Asset Realignment for Enhanced Services initiative and to satisfy Department of Veterans Affairs requirements on natural disasters, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KYL:

S. 1606. A bill to strengthen and enhance public safety through pretrial detention and postrelease supervision of terrorists, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BIDEN (for himself, Mr. AKAKA, Mr. ALLEN, Mr. BAYH, Mr. BINGAMAN, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. CAMPBELL, Ms. CANTWELL, Mr. CARPER, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COCHRAN, Ms. COLLINS, Mr. CRAIG, Mr. DEWINE, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. EDWARDS, Mr. FEINSTEIN, Mr. GRASSLEY, Mr. HAGEL, Mr. HATCH, Mr. HOLLINGS, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. JOHNSON, Mr. KENNEDY,

Mr. KERRY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Ms. MIKULSKI, Mr. MILLER, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. REID, Mr. ROCKEFELLER, Mr. SARBANES, Mr. SCHUMER, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TALENT, and Mr. VOINOVICH):

S. Res. 222. A resolution designating October 17, 2003 as "National Mammography Day"; to the Committee on the Judiciary.

By Mr. CORZINE:

S. Res. 223. A resolution expressing the sense of the Senate that the life and achievements of Antonio Meucci should be recognized, and for other purposes; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 50

At the request of Mr. JOHNSON, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 50, a bill to amend title 38, United States Code, to provide for a guaranteed adequate level of funding for veterans health care, and for other purposes.

S. 168

At the request of Mrs. FEINSTEIN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 168, a bill to require the Secretary of the Treasury to mint coins in commemoration of the San Francisco Old Mint.

S. 423

At the request of Ms. COLLINS, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 423, a bill to promote health care coverage parity for individuals participating in legal recreational activities or legal transportation activities.

S. 491

At the request of Mr. REID, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 491, a bill to expand research regarding inflammatory bowel disease, and for other purposes.

S. 569

At the request of Mr. ENSIGN, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 569, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

S. 606

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of S. 606, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 656

At the request of Mr. REED, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 656, a bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residence.

S. 736

At the request of Mr. ENSIGN, the name of the Senator from Illinois (Mr.

DURBIN) was added as a cosponsor of S. 736, a bill to amend the Animal Welfare Act to strengthen enforcement of provisions relating to animal fighting, and for other purposes.

S. 983

At the request of Mr. CHAFEE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 983, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. 1283

At the request of Mr. GRAHAM of Florida, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1283, a bill to require advance notification of Congress regarding any action proposed to be taken by the Secretary of Veterans Affairs in the implementation of the Capital Asset Realignment for Enhanced Services initiative of the Department of Veterans Affairs, and for other purposes.

S. 1309

At the request of Mrs. LINCOLN, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 1309, a bill to provide emergency assistance to producers that have suffered crop losses due to disasters.

S. 1325

At the request of Mr. BURNS, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1325, a bill to amend the National Highway System Designation Act of 1995 to modify the applicability of requirements concerning hours of service to operators of commercial motor vehicles transporting agricultural commodities and farm supplies.

S. 1380

At the request of Mr. JOHNSON, his name was added as a cosponsor of S. 1380, a bill to distribute universal service support equitably throughout rural America, and for other purposes.

S. 1393

At the request of Mr. HARKIN, the names of the Senator from New Mexico (Mr. BINGAMAN), the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Idaho (Mr. CRAIG) were added as cosponsors of S. 1393, a bill to amend the Richard B. Russell National School Lunch Act to reauthorize and expand the fruit and vegetable pilot program.

S. 1508

At the request of Mr. HAGEL, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1508, a bill to address regulation of secondary mortgage market enterprises, and for other purposes.

S. 1531

At the request of Mr. HATCH, the names of the Senator from Maine (Ms. COLLINS), the Senator from California

(Mrs. FEINSTEIN), the Senator from South Carolina (Mr. HOLLINGS), the Senator from South Dakota (Mr. JOHNSON) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 1531, a bill to require the Secretary of the Treasury to mint coins in commemoration of Chief Justice John Marshall.

S. 1548

At the request of Mr. GRASSLEY, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 1548, a bill to amend the Internal Revenue Code of 1986 to provide incentives for the production of renewable fuels and to simplify the administration of the Highway Trust Fund fuel excise taxes, and for other purposes.

S. 1587

At the request of Mr. BIDEN, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1587, a bill to make it a criminal act to willfully use a weapon, explosive, chemical weapon, or nuclear or radioactive material with the intent to cause death or serious bodily injury to any person while on board a passenger vessel, and for other purposes.

S.J. RES. 17

At the request of Mr. DORGAN, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S.J. Res. 17, a joint resolution disapproving the rule submitted by the Federal Communications Commission with respect to broadcast media ownership.

S. CON. RES. 21

At the request of Mr. BUNNING, the names of the Senator from Washington (Ms. CANTWELL), the Senator from Maine (Ms. COLLINS) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. Con. Res. 21, a concurrent resolution expressing the sense of the Congress that community inclusion and enhanced lives for individuals with mental retardation or other developmental disabilities is at serious risk because of the crisis in recruiting and retaining direct support professionals, which impedes the availability of a stable, quality direct support workforce.

S. RES. 209

At the request of Mr. JEFFORDS, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. Res. 209, a resolution recognizing and honoring Woodstock, Vermont, native Hiram Powers for his extraordinary and enduring contributions to American sculpture.

S. RES. 210

At the request of Mr. KENNEDY, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. Res. 210, a resolution expressing the sense of the Senate that supporting a balance between work and personal life is in the best interest of national worker productivity, and that the President should issue a proclamation designating October of 2003 as "National Work and Family Month".

AMENDMENT NO. 1571

At the request of Mr. DEWINE, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of amendment No. 1571 intended to be proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1572

At the request of Mr. DODD, the names of the Senator from New York (Mrs. CLINTON) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of amendment No. 1572 proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1580

At the request of Mr. HARKIN, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Michigan (Mr. LEVIN), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Washington (Ms. CANTWELL) and the Senator from Delaware (Mr. BIDEN) were added as cosponsors of amendment No. 1580 proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1586

At the request of Mr. NELSON of Nebraska, the names of the Senator from New Jersey (Mr. CORZINE), the Senator from Vermont (Mr. LEAHY) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of amendment No. 1586 intended to be proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1588

At the request of Mr. BINGAMAN, the names of the Senator from New Jersey (Mr. CORZINE), the Senator from Minnesota (Mr. DAYTON) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of amendment No. 1588 proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1588

At the request of Mr. ROCKEFELLER, his name was added as a cosponsor of amendment No. 1588 proposed to H.R. 2660, supra.

AMENDMENT NO. 1592

At the request of Mr. REED, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Massachusetts (Mr. KERRY), the Sen-

ator from New York (Mrs. CLINTON), the Senator from Massachusetts (Mr. KENNEDY) and the Senator from West Virginia (Mr. BYRD) were added as cosponsors of amendment No. 1592 proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1595

At the request of Mr. REED, the names of the Senator from Washington (Ms. CANTWELL), the Senator from Washington (Mrs. MURRAY) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of amendment No. 1595 proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1595

At the request of Ms. LANDRIEU, her name was added as a cosponsor of amendment No. 1595 proposed to H.R. 2660, supra.

AMENDMENT NO. 1596

At the request of Mr. DASCHLE, his name was added as a cosponsor of amendment No. 1596 proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1596

At the request of Mr. REED, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 1596 proposed to H.R. 2660, supra.

AMENDMENT NO. 1602

At the request of Mr. CORZINE, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Michigan (Ms. STABENOW), the Senator from Michigan (Mr. LEVIN) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of amendment No. 1602 proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1603

At the request of Mr. REID, the names of the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Arkansas (Mr. PRYOR) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of amendment No. 1603 proposed to H.R. 2660, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SPECTER:

S. 1604. A bill to increase criminal penalties relating to terrorist murders, deny Federal benefits to terrorists, and for other purposes; to the Committee on the Judiciary.

Mr. SPECTER. 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. 1604

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 "Terrorist Penalties Enhancement Act of 2003".

SEC. 2. PENALTIES FOR TERRORIST MURDERS.

(a) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by adding at the end the following:

"§ 2339D. Terrorist offenses resulting in death

"(a) PENALTY.—A person who, in the course of committing a terrorist offense, engages in conduct that results in the death of a person, shall be punished by death or imprisoned for any term of years or for life.

"(b) TERRORIST OFFENSE DEFINED.—In this section, the term 'terrorist offense' means—

"(1) international or domestic terrorism as defined in section 2331;

"(2) a Federal crime of terrorism as defined in section 2332b(g);

"(3) an offense under this chapter;

"(4) section 175, 175b, 229, or 831 of this title;

"(5) section 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2284); or

"(6) an attempt or conspiracy to commit an offense described in paragraph (1), (2), (3), (4), or (5)."

(b) CHAPTER ANALYSIS.—The chapter analysis of chapter 113B of title 18, United States Code, is amended by inserting at the end the following:

"2339D. Terrorist offenses resulting in death."

(c) AGGRAVATING FACTORS.—

(1) IN GENERAL.—Section 3591(a)(1) of title 18, United States Code, is amended by striking "or section 2381" and inserting "2339D, or 2381".

(2) CONFORMING AMENDMENT.—Section 3592(b) of title 18, United States Code, is amended—

(A) in the heading, by striking "AND TREASON" and inserting ", TREASON, AND TERRORISM"; and

(B) in paragraph (1)—

(i) in the heading, by striking "OR TREASON" and inserting ", TREASON, OR TERRORISM"; and

(ii) by striking "or treason" and inserting ", treason, or terrorism".

SEC. 3. DENIAL OF FEDERAL BENEFITS TO TERRORISTS.

(a) IN GENERAL.—Chapter 113B of title 18, United States Code, is amended by adding at the end the following:

"§ 2339E. Denial of Federal benefits to terrorists

"(a) IN GENERAL.—Any individual who is convicted of a Federal crime of terrorism (as defined in section 2332b(g)) shall, as provided by the court on motion of the Government, be ineligible for any or all Federal benefits for any term of years or for life.

"(b) FEDERAL BENEFIT DEFINED.—As used in this section, 'Federal benefit' has the meaning given that term in section 421(d) of the Controlled Substances Act (21 U.S.C. 862(d))."

(b) CHAPTER ANALYSIS.—The chapter analysis of chapter 113B of title 18, United States

Code, is amended by inserting at the end the following:

“2339E. Denial of Federal benefits to terrorists.”.

By Mr. GRAHAM of Florida (for himself and Mr. REID):

S. 1605. A bill to authorize major medical facility projects for the Department of Veterans Affairs in connection with the Capital Asset Realignment for Enhanced Services initiative and to satisfy Department of Veterans Affairs requirements on natural disasters, and for other purposes; to the Committee on Veterans' Affairs.

Mr. GRAHAM. Mr. President, I rise today to introduce legislation that would authorize the construction of new veterans' hospitals in east-central Florida and Las Vegas, NV. In addition, the legislation would enable the Department of Veterans Affairs, VA, Medical Center in San Juan, Puerto Rico, to sustain operations in the event of a natural disaster, such as an earthquake.

For years now, VA has been under a sort of moratorium for new construction projects. This was due to the capital asset realignment for enhanced services, CARES, process, which is designed to examine VA's infrastructure and try to realign it to better meet the projected needs of veterans. Many here in Congress were understandably reluctant to invest any valuable dollars in a facility that may ultimately be slated for downsizing.

However, the CARES process is now nearing its end. The CARES Commission is in the process of reviewing the national draft plan developed by the Under Secretary for Health, and Commissioners will make their recommendations to the Secretary by the end of November. The Secretary will then make his final decisions on what plans will be implemented by the end of the year.

Included in the national draft plan were two major construction initiatives: a new hospital and clinic in Las Vegas, NV, and a new facility in east-central Florida. In light of the fact that these two projects are the only new hospitals included in the draft plan, and that the great need in both of these areas has been well documented, the sooner we can get these facilities up and running, the better.

Veterans living in east-central Florida are in dire need of a full-fledged VA hospital. One VA report found that since 1996, “the Central Florida market sustained the greatest workload expansion of the entire VA system—105 percent.” Other VA studies have deemed Orlando as “the logical choice for infrastructure investment for all major Inpatient and Outpatient categories.” The decision about where to place a new VA hospital in this region falls to VA, but I encourage Secretary Principi to carefully study all the options to ensure that the most appropriate location is chosen.

Las Vegas, in Clark County, NV, was recognized by VA as, “. . . one of the

fastest growing markets in the U.S.” VA also acknowledges that there is a gap in long-term care accessibility in this area, and that contracting in the community is not a viable option as there are quality of care issues with the region's private sector facilities. Why should we wait to authorize projects whose necessity is broadly recognized by veterans and VA alike?

This legislation would also authorize \$30 million for the San Juan VA Medical Center to undertake much needed upgrading in order to ensure that patient safety is not unnecessarily jeopardized in the event of an earthquake. The money would be used to bring the facility in line with the CD-54 natural disasters directive, enabling vital services to continue to be provided for 7 to 10 days after a disaster. Services that would be reinforced by this project are primarily utilities, which in some cases provide lifesaving support to patients.

In 1991, the San Juan VA Medical Center was deemed seismically unsound, and other structural deficiencies were uncovered as well. Although the Caribbean is not normally thought of as a seismic “hot spot,” the islands are mountainous and severe earthquakes do occur there every few decades. The supposed unlikelihood of such an event is no reason to not have contingency operations should something actually occur. Patient safety is not something that can be gambled with in this manner. It is important that we supply the San Juan VA Medical Center with the additional resources it needs to make sure that no patient has to go without life support in the event of a natural disaster. I was disappointed that the San Juan upgrading project was not included in VA's draft plan, but regardless, I do believe we have an obligation to make these needed repairs.

Finally, I would like to recognize the efforts of my friend Senator REID in this initiative, who is also facing a rapidly growing veteran population in his home State of Nevada. Additionally, I want to thank Representative CORRINE BROWN of the Orlando area, Representative SHELLEY BERKLEY of Las Vegas, and Representative ANÍBAL ACEVEDO-VILÁ of Puerto Rico, who have all been very helpful in developing a companion bill in the House.

I urge my colleagues to join us in this effort for our Nation's veterans.

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

S. 1605

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

SECTION 1. AUTHORIZATION OF MAJOR MEDICAL FACILITY PROJECTS.

The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Construction of a health care facility at a location in East Central Florida selected

by the Secretary, as part of the Capital Asset Realignment for Enhanced Services (CARES) initiative, \$170,000,000.

(2) Improvements of the Department of Veterans Affairs Medical Center in San Juan, Puerto Rico, in order to bring that facility into compliance with the CD-54 Natural Disasters Directive, \$30,000,000.

(3) Construction of a health care facility in Las Vegas, Nevada, as part of the Capital Asset Realignment for Enhanced Services initiative, \$250,000,000.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated for the Secretary of Veterans Affairs for fiscal year 2004 for the Construction, Major Projects, account, a total of \$450,000,000 for the projects authorized in section 1.

(b) LIMITATION.—The projects authorized in section 1 may only be carried out using—

(1) funds appropriated for fiscal year 2004 pursuant to the authorization of appropriations in subsection (a);

(2) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2004 that remain available for obligation; and

(3) funds appropriated for Construction, Major Projects, for fiscal year 2004 for a category of activity not specific to a project.

Mr. REID. Mr. President, I join with my colleague, Senator GRAHAM of Florida, to introduce legislation that authorizes funding for a new veterans' hospital, outpatient clinic and senior center in Southern Nevada. Nevada is now the third most popular retirement State in the Nation. And many of the retirees who make their homes in Nevada are veterans who served our country with courage and honor.

More than 240,000 veterans live in Nevada, and more than one-third of Nevada's residents over age 65 have worn the uniform of the United States. Veterans are the cornerstone of our economy. They are also our neighbors, our family members and our friends.

As we welcome these veterans, we must also ensure that they can get the services they need—especially medical care. Our veterans put their lives on the line for our freedom. They deserve the best health care in the world. But we have been struggling to keep up with our fast-growing population of veterans.

Across the Nation, more than 110,000 veterans have waited more than 6 months for their first medical appointment with the VA. There have been some backlogs in booming areas like Las Vegas, which has the highest growth rate in the Nation. This new facility should ease some of these delays and result in improved care for our veterans.

I was pleased to learn recently from VA Secretary Anthony Principi that he endorsed the building of a new hospital in southern Nevada. This bill, which was made possible by the strong leadership of Senator GRAHAM of Florida, would authorize \$250 million to build this sorely needed facility.

I realize that we have many urgent priorities today, and our resources are not unlimited. But this is a matter of national security. We have soldiers in

the desert of Iraq today who volunteered to risk their lives protecting our freedom. They willingly put their lives on the line for us. In return, we make certain promises to them. One of those promises is that they will receive quality health care when they come home. We must keep this promise to our troops.

Right now, I am sorry to say, we are not keeping that promise to the Nation's veterans. This bill will help steer us onto the right course, and begin to correct that injustice for the veterans in Southern Nevada.

I urge your support of this legislation.

By Mr. KYL:

S. 1606. A bill to strengthen and enhance public safety through pretrial detention and postrelease supervision of terrorists, and for other purposes; to the Committee on the Judiciary.

Mr. KYL. Mr. President, I rise today to introduce the "Pretrial Detention and Lifetime Supervision of Terrorists Act of 2003," legislation that will fill continuing gaps in the laws that our police and prosecutors use to protect our Nation from terrorism.

Under current Federal law, defendants accused of certain crimes—such as drug crimes carrying a potential sentence of ten years or more—are presumptively denied pretrial release. This provision of current law, however, does not apply to terrorists.

The legislation that I have introduced today would fix this oversight, by amending the criminal code to presumptively deny pre-trial release to persons charged with terrorist activity. The presumption would apply to Federal crimes of terrorism, as enumerated in the criminal code, if the Attorney General certifies that the offense, by its nature and context, appears to be intended to intimidate or coerce a civilian population, to influence the policy of a government by intimidation or coercion, or to affect the conduct of a government by mass destruction, assassination, or kidnapping, or an offense involved in or related to domestic or international terrorism.

Extending the presumption in current law to terrorist offenses is justified by the unparalleled magnitude of the threat posed to our Nation by acts of terrorism. Terrorists are at least as much of a threat as drug dealers—and should also be subject to a presumption of pre-trial detention.

The bill that I have introduced today also would broaden the list of offenses that render a convicted terrorist eligible for lifetime supervision subsequent to his release from prison. Currently law allows lifetime post-release supervision for terrorist offenses only if they result in or create a foreseeable risk of death or serious injury. This limitation could prevent the imposition of adequate supervision periods for persons convicted of non-violent terrorist offenses, such as a computer attack on the United States that results in tens

of billions of dollars of economic damage. It could also limit supervision for persons who provide the essential financial or other material support for terrorist acts, but who do not themselves directly engage in violent terrorist acts.

The continuing danger posed to our Nation's security by such persons may be no less than that posed by the direct perpetrators of terrorist violence. The courts should be afforded the same degree of discretion in prescribing postrelease supervision for these terrorists as for others.

For this reason, the bill introduced today eliminates the foreseeable-risk-of-injury requirement and allows lifetime supervision for all offenses in the standard list of crimes likely to be committed by terrorists and their supporters. This reform reflects the continuing danger posed by convicted terrorists after their completion of a term of imprisonment. It recognizes that even those terrorists not directly involved in the use of violence may continue to harbor a commitment to terrorist goals and methods that will not dissipate within a few years of release.

I look forward to the Senate's consideration of these common-sense reforms to our Nation's anti-terror laws.

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. 1606

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 "Pretrial Detention and Lifetime Supervision of Terrorists Act of 2003".

SEC. 2. PRESUMPTION FOR PRETRIAL DETENTION IN CASES INVOLVING TERRORISM.

Section 3142 of title 18, United States Code, is amended—

(1) in the flush language at the end of subsection (e) by—

(A) striking "or" before "the Maritime"; and

(B) striking "or" before "2332b"; and

(C) inserting before the period at the end of the following: "or an offense listed in section 2332b(g)(5)(B) of title 18 of the United States Code, if the Attorney General certifies that the offense appears by its nature or context to be intended to intimidate or coerce a civilian population, to influence the policy of a government by intimidation or coercion, or to affect the conduct of a government by mass destruction, assassination, or kidnapping, or an offense involved in or related to domestic or international terrorism as defined in section 2331 of title 18 of the United States Code"; and

(2) in subsections (f)(1)(A) and (g)(1), by inserting after "violence" the following: "or an offense listed in section 2332b(g)(5)(B) of title 18 of the United States Code, if the Attorney General certifies that the offense appears by its nature or context to be intended to intimidate or coerce a civilian population, to influence the policy of a government by intimidation or coercion, or to affect the conduct of a government by mass destruction, assassination, or kidnapping, or an of-

fense involved in or related to domestic or international terrorism as defined in section 2331 of title 18 of the United States Code".

SEC. 3. POSTRELEASE SUPERVISION OF TERRORISTS.

Section 5833(j) of title 18, United States Code, is amended by striking "the commission" and all that follows through "person."

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 222—DESIGNATING OCTOBER 17, 2003 AS "NATIONAL MAMMOGRAPHY DAY"

Mr. BIDEN (for himself, Mr. AKAKA, Mr. ALLEN, Mr. BAYH, Mr. BINGAMAN, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. CAMPBELL, Ms. CANTWELL, Mr. CARPER, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COCHRAN, Ms. COLLINS, Mr. CRAIG, Mr. DEWINE, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. EDWARDS, Mrs. FEINSTEIN, Mr. GRASSLEY, Mr. HAGEL, Mr. HATCH, Mr. HOLLINGS, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Ms. MIKULSKI, Mr. MILLER, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. REID, Mr. ROCKEFELLER, Mr. SARBANES, Mr. SCHUMER, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TALENT, and Mr. VOINOVICH) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 222

Whereas according to the American Cancer Society, in 2003, 211,300 women will be diagnosed with breast cancer and 39,800 women will die from this disease;

Whereas it is estimated that about 2,000,000 women were diagnosed with breast cancer in the 1990s, and that in nearly 500,000 of those cases, the cancer resulted in death;

Whereas African-American women suffer a 30 percent greater mortality from breast cancer than White women and more than a 100 percent greater mortality from breast cancer than women from Hispanic, Asian, and American Indian populations;

Whereas the risk of breast cancer increases with age, with a woman at age 70 years having twice as much of a chance of developing the disease as a woman at age 50 years;

Whereas at least 80 percent of the women who get breast cancer have no family history of the disease;

Whereas mammograms, when operated professionally at a certified facility, can provide safe screening and early detection of breast cancer in many women;

Whereas mammography is an excellent method for early detection of localized breast cancer, which has a 5-year survival rate of more than 97 percent;

Whereas the National Cancer Institute and the American Cancer Society continue to recommend periodic mammograms; and

Whereas the National Breast Cancer Coalition recommends that each woman and her health care provider make an individual decision about mammography: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 17, 2003, as "National Mammography Day"; and

(2) requests that the President issue a proclamation calling upon the people of the

United States to observe the day with appropriate programs and activities.

Mr. BIDEN. Mr. President, today I am introducing a resolution designating October 17, 2003, as "National Mammography Day". I am pleased that 52 of my colleagues have endorsed this proposal by agreeing to be original cosponsors. I might note that I have submitted a similar resolution each year since 1993, and on each occasion the Senate has shown its support for the fight against breast cancer by approving the resolution.

Each year, as I prepare to submit this resolution, I review the latest information from the American Cancer Society about breast cancer. For the year 2003, it is estimated that over 211,000 women will be diagnosed with breast cancer and slightly fewer than 40,000 women will die of this disease.

In past years, I have often commented on how gloomy these statistics were. But as I review how these numbers are changing over time, I have come to the realization that it is really more appropriate to be optimistic. The number of deaths from breast cancer is actually stable or falling from year to year. Early detection of breast cancer continues to result in extremely favorable outcomes: 97 percent of women with localized breast cancer will survive 5 years or longer. New digital techniques make the process of mammography much more rapid and precise than before. Government programs will provide free mammograms to those who can't afford them, as well as Medicaid eligibility for treatment if breast cancer is diagnosed. Information about treatment of breast cancer with surgery, chemotherapy, and radiation therapy has exploded, reflecting enormous research advances in this disease. So I am feeling quite positive about our battle against breast cancer. A diagnosis of breast cancer is not a death sentence, and I encounter long-term survivors of breast cancer nearly daily.

In recent times, the newspapers have been filled with discussion over whether the scientific evidence actually supports the conclusion that periodic screening mammography saves lives. It seems that much of this controversy relates to new interpretations of old studies, and the relatively few recent studies of this matter have not clarified this issue. Most sources seem to agree that all of the existing scientific studies have some weaknesses, but it is far from clear whether the very large and truly unambiguous study needed to settle this matter definitively can ever be done.

So what is a woman to do? I do not claim any expertise in this highly technical area, so I rely on the experts. The American Cancer Society, the National Cancer Institute, and the U.S. Preventive Services Task Force all continue to recommend periodic screening mammography, and I endorse the statements of these distinguished bodies.

On the other hand, I recognize that some women who examine these re-

search studies are unconvinced of the need for periodic screening mammography. However, even those scientists who do not support periodic mammography for all women believe that it is appropriate for some groups of women with particular risk factors. In agreement with these experts, I encourage all women who have doubts about the usefulness of screening mammography in general to discuss with their individual physicians whether this test is appropriate in their specific situations.

So my message to women is: have a periodic mammogram, or at the very least discuss this option with your own physician.

I know that some women don't have annual mammograms because of either fear or forgetfulness. It is only human nature for some women to avoid mammograms because they are afraid of what they will find. To those who are fearful, I would say that if you have periodic routine mammograms, and the latest one comes out positive, even before you have any symptoms or have found a lump on self-examination, you have reason to be optimistic, not pessimistic. Such early-detected breast cancers are highly treatable.

Then there is forgetfulness. I certainly understand how difficult it is to remember to do something that only comes around once each year. I would suggest that this is where "National Mammography Day" comes in. On that day, let's make sure that each woman we know picks a specific date on which to get a mammogram each year, a date that she won't forget: a child's birthday, an anniversary, perhaps even the day her taxes are due. On National Mammography Day, let's ask our loved ones: pick one of these dates, fix it in your mind along with a picture of your child, your wedding, or another symbol of that date, and promise yourself to get a mammogram on that date every year. Do it for yourself and for the others that love you and want you to be part of their lives for as long as possible.

And to those women who are reluctant to have a mammogram, I say let National Mammography Day serve as a reminder to discuss this question each year with your physician. New scientific studies that are published and new mammography techniques that are developed may affect your decision on this matter from one year to the next. I encourage you to keep an open mind and not to feel that a decision at one point in time commits you irrevocably to a particular course of action for the indefinite future.

I urge my colleagues to join me in the ongoing fight against breast cancer by cosponsoring and voting for this resolution to designate October 17, 2003, as National Mammography Day.

SENATE RESOLUTION 223—EX-PRESSING THE SENSE OF THE SENATE THAT THE LIFE AND ACHIEVEMENTS OF ANTONIO MEUCCI SHOULD BE RECOGNIZED, AND FOR OTHER PURPOSES

Mr. CORZINE submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 223

Whereas Antonio Meucci, the great Italian-American inventor, had a career that was both extraordinary and tragic;

Whereas upon immigrating to New York, Meucci continued to work with ceaseless vigor on a project he had begun in Havana, Cuba, an invention he later called the "teletrofono", involving electronic communications;

Whereas Meucci set up a rudimentary communications link in his Staten Island home that connected the basement with the first floor, and later, when his wife began to suffer from crippling arthritis, he created a permanent link between his lab and his wife's second floor bedroom;

Whereas having exhausted most of his life's savings in pursuing his work, Meucci was unable to commercialize his invention, though he demonstrated his invention in 1860 and had a description of it published in New York's Italian language newspaper;

Whereas Meucci never learned English well enough to navigate the complex American business community;

Whereas Meucci was unable to raise sufficient funds to pay his way through the patent application process, and thus had to settle for a caveat, a one year renewable notice of an impending patent, which was first filed on December 28, 1871;

Whereas Meucci later learned that the Western Union affiliate laboratory reportedly lost his working models, and Meucci, who at this point was living on public assistance, was unable to renew the caveat after 1874;

Whereas in March 1876, Alexander Graham Bell, who conducted experiments in the same laboratory where Meucci's materials had been stored, was granted a patent and was thereafter credited with inventing the telephone;

Whereas on January 13, 1887, the Government of the United States moved to annul the patent issued to Bell on the grounds of fraud and misrepresentation, a case that the Supreme Court found viable and remanded for trial;

Whereas Meucci died in October 1889, the Bell patent expired in 1893, and the case was discontinued as moot without ever reaching the underlying issue of the true inventor of the telephone entitled to the patent; and

Whereas if Meucci had been able to pay the \$10 fee to maintain the caveat after 1874, no patent could have been issued to Bell: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the life and achievements of Antonio Meucci should be recognized; and

(2) the work of Antonio Meucci in the invention of the telephone should be acknowledged.

Mr. CORZINE. Mr. President, I rise today to submit a resolution to recognize the life and achievements of Antonio Meucci, an Italian-American inventor who had both an extraordinary and a tragic career. Mr. Meucci made a great contribution as a pioneer in the

development of the telephone, and his legacy deserves recognition.

Born in 1808 in Florence, Italy, Antonio Meucci showed academic promise from an early age. After being educated at the Academy of Fine Arts, he rose to the position of assistant to the chief engineer for a leading Florentine theater. In 1835, he was recruited by a famous entrepreneur to work as chief engineer for a new theater in Havana, Cuba. There he began work on many of his inventions, including those relating to telephonic communication.

Meucci left Havana for the United States in 1850 in search of a better environment to develop his ideas relating to the telephone. In 1854, after his wife had fallen ill, Mr. Meucci set up a rudimentary communication link known as a "speaking telegraph" that connected her bedroom to his basement laboratory and the rest of his home.

Mr. Meucci spent the next several years trying to advance his idea, and his efforts culminated in December 1871, when he hired an attorney to secure a patent caveat, a 1-year renewable notice of an impending patent, which reflected the promise of his work on the telephone. Although Mr. Meucci retained the caveat for 3 years, he was unable to produce the necessary \$10 renewal fee after 1874.

Unfortunately, Mr. Meucci died before he was able to complete his efforts. However, his work has not gone completely unnoticed. On the 100th anniversary of the telephone, both the Smithsonian Institution and the International Telecommunication Union honored Mr. Meucci as among the most important pioneers of the telephone.

Given his important contributions, I hope my colleagues will join in honoring both the life and achievements of Antonio Meucci.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1604. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 1594 submitted by Mr. REED and intended to be proposed to the amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table.

SA 1605. Mr. FEINGOLD submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra; which was ordered to lie on the table.

SA 1606. Mr. FEINGOLD (for himself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra; which was ordered to lie on the table.

SA 1607. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra; which was ordered to lie on the table.

SA 1608. Mr. FRIST submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill

H.R. 2660, supra; which was ordered to lie on the table.

SA 1609. Mrs. BOXER (for herself, Mr. LAUTENBERG, Mr. REID, Ms. LANDRIEU, Mr. KERRY, and Mr. CORZINE) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1610. Ms. LANDRIEU (for herself, Mrs. MURRAY, Mr. ROCKEFELLER, and Mr. LEVIN) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1611. Mr. DURBIN (for himself, Mr. SCHUMER, Mr. DORGAN, and Mr. NELSON, of Nebraska) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1612. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1613. Mr. DURBIN (for himself, Mr. KENNEDY, Mr. EDWARDS, Mr. BINGAMAN, Mr. LAUTENBERG, and Mr. CORZINE) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1614. Ms. LANDRIEU (for herself, Mr. DASCHLE, Mr. JOHNSON, and Mr. BREAUX) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1615. Mr. BINGAMAN submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra; which was ordered to lie on the table.

SA 1616. Mr. STEVENS (for Ms. COLLINS (for herself and Mr. FEINGOLD)) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1617. Mr. STEVENS (for Mr. INHOFE) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1618. Mr. STEVENS (for Mr. WYDEN) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1619. Mr. STEVENS (for Mr. ENSIGN) submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1620. Mr. STEVENS (for Mr. SPECTER) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1621. Mr. ENSIGN (for himself, Mrs. MURRAY, Mr. GREGG, and Ms. COLLINS) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1622. Mr. SPECTER (for himself, Mr. HARKIN, Mrs. FEINSTEIN, Ms. COLLINS, Ms. SNOWE, Mr. DORGAN, Mrs. CLINTON, Mr. LIEBERMAN, Ms. MIKULSKI, Mr. LAUTENBERG, Mr. LEAHY, Mrs. MURRAY, Mr. CORZINE, Mr. DURBIN, Mr. SARBANES, Mr. SCHUMER, Ms. CANTWELL, Mr. REID, Mr. JOHNSON, Mr. KENNEDY, and Ms. STABENOW) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1623. Mr. DEWINE (for himself, Mr. SANTORUM, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1624. Mr. HARKIN (for Mr. BINGAMAN) proposed an amendment to amendment SA 1594 submitted by Mr. REED and intended to be proposed to the amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1625. Mr. HARKIN (for Ms. MIKULSKI) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1626. Mr. HARKIN (for Mr. DASCHLE) proposed an amendment to amendment SA

1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1627. Mr. HARKIN (for Mr. DODD (for himself and Mrs. LINCOLN)) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1628. Mr. HARKIN (for Mr. KENNEDY) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1629. Mr. SPECTER (for Mr. MCCAIN (for himself and Mr. BAYH)) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1630. Mr. SPECTER proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1631. Mr. HARKIN (for Mr. SCHUMER) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1632. Mr. SPECTER (for Mr. SESSIONS) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1633. Mr. HARKIN (for Mr. FEINGOLD) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1634. Mr. HARKIN (for Mr. HOLLINGS) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1635. Mr. SPECTER (for Mr. ALEXANDER (for himself, Mr. DODD, Mr. KENNEDY, and Mrs. MURRAY)) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1636. Mr. HARKIN (for Mr. DASCHLE) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1637. Mr. HARKIN (for Mr. KENNEDY) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1638. Mr. SPECTER (for Mr. BOND (for himself, Mrs. CLINTON, Mrs. MURRAY, Ms. CANTWELL, and Mr. SCHUMER)) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1639. Mr. HARKIN (for Mr. FEINGOLD (for himself and Ms. COLLINS)) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1640. Mr. SPECTER submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1641. Mr. SPECTER (for Mr. CHAMBLISS) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1642. Mr. SPECTER (for Mr. ROBERTS (for himself and Mr. CONRAD)) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1643. Mr. SPECTER proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1644. Mr. SPECTER (for himself and Mr. BYRD) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

SA 1645. Mr. HARKIN (for himself and Mr. DASCHLE) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra.

TEXT OF AMENDMENTS

SA 1604. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 1594 submitted by Mr. REED and intended to be proposed by the amendment SA 1542 proposed by

Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ____ (a) AUTOMATIC EXTERNAL DEFIBRILLATORS.—There are appropriated, \$10,000,000 to fund programs on community automatic external defibrillators under section 312 of the Public Health Service Act (42 U.S.C. 244).

(b) OFFSET.—Of the funds appropriated under this Act for the National Institutes of Health, \$15,000,000 shall not be available for obligation until September 30, 2004. The amount \$6,895,199,000 in section 305(a)(1) of this Act shall be deemed to be \$6,905,199,000, and the amount \$6,783,301,000 in section 305(a)(2) of this Act shall be deemed to be \$6,773,301,000.

SA 1605. Mr. FEINGOLD submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table as follows:

On page 20, line 19, strike the period at the end and insert “: *Provided further*, That of this amount, sufficient funds shall be available for the Secretary of Labor, not later than 60 days after the last day of the fiscal year, to submit to Congress a report on the amount of acquisitions made by the Department of Labor during such fiscal year of articles, materials, or supplies that were manufactured outside the United States. Such report shall separately indicate the dollar value of any articles, materials, or supplies purchased by the Department of Labor that were manufactured outside the United States, an itemized list of all waivers under the Buy American Act (41 U.S.C. 10a et seq.) that were granted with respect to such articles, materials, or supplies, and a summary of total procurement funds spent on goods manufactured in the United States versus funds spent on goods manufactured outside of the United States. The Secretary of Labor shall make the report publicly available by posting the report on an Internet website.

On page 74, line 4, strike “Washington, D.C.” and insert “Washington, D.C.: *Provided*, That of this amount, sufficient funds shall be available for the Secretary of Education, not later than 60 days after the last day of the fiscal year, to submit to Congress a report on the amount of acquisitions made by the Department of Education during such fiscal year of articles, materials, or supplies that were manufactured outside the United States. Such report shall separately indicate the dollar value of any articles, materials, or supplies purchased by the Department of Education that were manufactured outside the United States, an itemized list of all waivers under the Buy American Act (41 U.S.C. 10a et seq.) that were granted with respect to such articles, materials, or supplies, and a summary of total procurement funds spent on goods manufactured in the United States versus funds spent on goods manufactured outside of the United States. The Secretary of Education shall make the report publicly available by posting the report on an Internet website.”

SA 1606. Mr. FEINGOLD (for himself and Ms. COLLINS) submitted an amend-

ment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 61, between lines 14 and 15 insert the following:

SEC. ____ From the amounts appropriated under the heading OFFICE OF THE SECRETARY, GENERAL DEPARTMENTAL MANAGEMENT there shall be made available an additional \$4,000,000 to the Health Resources and Services Administration for the purchase of automatic external defibrillators and the training of individuals in cardiac life support in rural areas.

SA 1607. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table as follows:

At the end, add the following:

SEC. ____ RECIPIENTS OF FEDERAL PELL GRANTS WHO ARE PURSUING PROGRAMS OF STUDY IN MATHEMATICS OR SCIENCE (INCLUDING COMPUTER SCIENCE OR ENGINEERING).

Section 401(b)(2) of the Higher Education Act of 1965 (20 U.S.C. 1070a(b)(2)) is amended by adding at the end the following:

“(C)(i) Notwithstanding subparagraph (A) and subject to clause (ii), in the case of a student who is eligible under this part and who is pursuing a degree with a major or minor in, or a certificate or program of study relating to, mathematics or science (including computer science or engineering), the amount of the Federal Pell Grant shall be 150 percent of the amount specified in clauses (i) through (v) of subparagraph (A), for the academic year involved, less an amount equal to the amount determined to be the expected family contribution with respect to that student for that year.

“(ii) No student who received a Federal Pell Grant for academic year 2003-2004 shall receive a subsequent Federal Pell Grant in an amount that is less than the amount of the student’s Federal Pell Grant for academic year 2003-2004, due to the requirements of clause (i).”

SA 1608. Mr. FRIST submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ____ (a) AUTOMATIC EXTERNAL DEFIBRILLATORS.—There are appropriated, \$10,000,000 to fund programs on community automatic external defibrillators under section 312 of the Public Health Service Act (42 U.S.C. 244).

(b) OFFSET.—The amount made available under each account in this Act for expenses necessary for departmental management and administration shall be reduced on a pro rata

basis, so that the total of such reductions equals \$10,000,000.

SA 1609. Mrs. BOXER (for herself, Mr. LAUTENBERG, Mr. REID, Ms. LANDRIEU, Mr. KERRY, and Mr. CORZINE) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 76, between lines 10 and 11, insert the following:

Sec.—. In addition to any amounts otherwise appropriated under this Act for after-school programs carried out by 21st Century Community Learning Centers under part B of title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7171 et seq.), there are appropriated an additional \$250,000,000 for such programs: *Provided*, That of the funds appropriated in this Act for the National Institutes of Health, \$44,000,000 shall not be available for obligation until September 30, 2004: *Provided further*, That the amount \$6,895,199,000 in section 305(a)(1) of this Act shall be deemed to be \$7,145,199,000: *Provided further*, That the amount \$6,783,301,000 in section 305(a)(2) of this Act shall be deemed to be \$6,533,301,000.

SA 1610. Ms. LANDRIEU (for herself, Mrs. MURRAY, Mr. ROCKEFELLER, and Mr. LEVIN) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 61, between lines 14 and 15, insert the following:

SEC. ____ (a) PROMOTING SAFE AND STABLE FAMILIES PROGRAM.—In addition to amounts otherwise appropriated under this Act for the promoting safe and stable families program of the Administration on Children and Families, there are appropriated an additional \$100,000,000 for the Administration on Children and Families to fund such program.

(b) INDEPENDENT LIVING TRAINING VOUCHERS.—In addition to amounts otherwise appropriated under this Act for independent living training vouchers, there are appropriated an additional \$18,000,000 for such vouchers.

(c) OFFSET.—Of the funds appropriated under this Act for the National Institutes of Health, \$70,000,000 shall not be available for obligation until September 30, 2004. The amount \$6,895,199,000 in section 305(a)(1) of this Act shall be deemed to be \$6,995,199,000, and the amount \$6,783,301,000 in section 305(a)(2) of this Act shall be deemed to be \$6,683,301,000.

SA 1611. Mr. DURBIN (for himself, Mr. SCHUMER, Mr. DORGAN, and Mr. NELSON of Nebraska) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the end of title III (relating to the Department of Education), insert after the last

section (preceding the short title) the following:

SEC. ____ None of the funds made available in this Act may be used by the Department of Education to enforce any requirement under section 1116 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316), or to implement any penalty or sanction applicable to a State, a State educational agency, a local educational agency, or a school under such part A, if the amount appropriated in this Act for the purpose of carrying out such part A for fiscal year 2004 is less than \$18,500,000,000, as authorized to be appropriated for such purpose in section 1002(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6302(a)). Nothing in this section shall be construed to prohibit a State, a State educational agency, a local educational agency, or a school from implementing the requirements of section 1116 of such Act.

SA 1612. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

In the matter under the heading "TRAINING AND EMPLOYMENT SERVICES" under the heading "EMPLOYMENT AND TRAINING ADMINISTRATION" in title I, add at the end the following:

For necessary expenses of the Workforce Investment Act of 1998, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Workforce Investment Act of 1998, \$10,000,000 to carry out activities described in section 132(a)(2)(B) of that Act (relating to dislocated worker employment and training activities and other activities for dislocated workers). There shall be transferred from the account relating to the Department of Labor's Working Capital Fund, \$7,500,000 to the account relating to carrying out activities described in section 132(a)(2)(B) of the Workforce Investment Act of 1998 (relating to dislocated worker employment and training activities and other activities for dislocated workers). There shall be transferred from the account relating to the Department of Labor's management cross cut activities, \$7,500,000 to the account relating to carrying out activities described in section 132(a)(2)(B) of the Workforce Investment Act of 1998 (relating to dislocated worker employment and training activities and other activities for dislocated workers). There shall be transferred from the Department of Labor's Departmental Management account (except from funds under such account for salaries and to the Bureau of International Labor Affairs), \$5,000,000 to the account relating to carrying out activities described in section 132(a)(2)(B) of the Workforce Investment Act of 1998 (relating to dislocated worker employment and training activities and other activities for dislocated workers). There shall be transferred from the Department of Health and Human Service's General Departmental Management account (except from funds under such account for salaries), \$20,000,000 to the account relating to carrying out activities described in section 132(a)(2)(B) of the Workforce Investment Act of 1998 (relating to dislocated worker employment and training activities and other activities for dislocated workers). There shall be transferred from the Department of Education's Program Admin-

istration account (except from funds under such account for salaries), \$10,000,000 to the account relating to carrying out activities described in section 132(a)(2)(B) of the Workforce Investment Act of 1998 (relating to dislocated worker employment and training activities and other activities for dislocated workers).

On page 74, line 1, strike "\$13,644,000" and insert "\$3,644,000".

SA 1613. Mr. DURBIN (for himself, Mr. KENNEDY, Mr. EDWARDS, Mr. BINGAMAN, Mr. LAUTENBERG, and Mr. CORZINE) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 36, line 16, strike the period at the end and insert "": *Provided further*, That of the funds appropriated in this Act for the National Institutes of Health, \$85,000,000 shall not be available for obligation until September 30, 2004: *Provided further*, That in addition to amounts otherwise appropriated under this Act for grants to States under part A of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.), there are appropriated an additional \$325,000,000 for such grants: *Provided further*, That in addition to amounts otherwise appropriated under this Act for the Preparing Tomorrow's Teachers to Use Technology Program under part B of title II of the Higher Education Act of 1965 (20 U.S.C. 1041 et seq.), there are appropriated an additional \$62,094,000 for such program: *Provided further*, That in addition to amounts otherwise appropriated under this Act for the Mathematics and Science Partnerships program under part B of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6661 et seq.), there are appropriated an additional \$50,000,000 for such program: *Provided further*, That in addition to amounts otherwise appropriated under this Act for the school leadership program under section 2151(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6651(b)), there are appropriated an additional \$12,500,000 for such program: *Provided further*, That the amount \$6,895,199,000 in section 305(a)(1) of this Act shall be deemed to be \$7,344,793,000: *Provided further*, That the amount \$6,783,301,000 in section 305(a)(2) of this Act shall be deemed to be \$6,333,707,000."

SA 1614. Ms. LANDRIEU (for herself, Mr. DASCHLE, Mr. JOHNSON, and Mr. BREAUX) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 61, between lines 14 and 15, insert the following:

SEC. ____ (a) IN GENERAL.—In addition to amounts otherwise appropriated under this Act for programs relating to West Nile Virus, there are appropriated an additional \$25,000,000 for the Centers for Disease Control and Prevention to fund such programs, of which \$1,250,000 shall be set aside for Indian tribes and tribal organizations, and there are appropriated an additional \$100,000,000 for the Centers for Disease Control and Prevention to fund programs under the Mosquito

Abatement for Safety and Health Act (Public Law 108-75), of which \$5,000,000 shall be set aside for Indian tribes and tribal organizations.

(b) OFFSET.—Of the funds appropriated under this Act for the National Institutes of Health, \$145,000,000 shall not be available for obligation until September 30, 2004. The amount \$6,895,199,000 in section 305(a)(1) of this Act shall be deemed to be \$7,020,199,000, and the amount \$6,783,301,000 in section 305(a)(2) of this Act shall be deemed to be \$6,658,301,000.

SA 1615. Mr. BINGAMAN submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 80, insert the following before the period: "": *Provided*, That from the total amount available, the Medicare Payment Advisory Commission uses funds to conduct a study on access to health care items and services by individuals who are dually eligible for benefits under the medicare program under title XVIII of such Act (42 U.S.C. 1395 et seq.) and the medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.)".

SA 1616. Mr. STEVENS (for Ms. COLLINS (for herself and Mr. FEINGOLD)) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 49, line 21, insert before the period the following: "": *Provided further*, That of this amount, \$3,000,000 shall be made available to carry out section 340G of the Public Health Service Act (42 U.S.C. 256g) (in addition to other amounts appropriated under this title for such purpose)".

SA 1617. Mr. STEVENS (for Mr. INHOFE) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 63, line 2, strike "\$1,188,226,000, of which \$1,025,292,000" and insert "\$1,193,226,000, of which \$1,030,292,000".

SA 1618. Mr. STEVENS (for Mr. WYDEN) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 61, between lines 14 and 15, insert the following:

SEC. ____ Not later than 90 days after the date of enactment of this Act, the Director of the National Institutes of Health shall submit to the appropriate committees of Congress a report that shall—

(1) contain the recommendations of the Director concerning the role of the National Institutes of Health in promoting the affordability of inventions and products developed with Federal funds; and

(2) specify whether any circumstances exist to prevent the Director from promoting the affordability of inventions and products developed with Federal funds.

SA 1619. Mr. STEVENS (for Mr. ENSIGN) submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 62, line 6, insert "annually" after "obtain".

SA 1620. Mr. STEVENS (for Mr. SPECTER) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the end of title V, add the following:

SEC. ____ (a) IN GENERAL.—Amounts made available under this Act for the administrative and related expenses for departmental management for the Department of Labor, the Department of Health and Human Services, and the Department of Education shall be reduced on a pro rata basis by \$14,735,000.

(b) LIMITATION.—The reduction required by subsection (a) shall not apply to the Food and Drug Administration and the Indian Health Service.

SA 1621. Mr. ENSIGN (for himself, Mrs. MURRAY, Mr. GREGG, and Ms. COLLINS) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the end of title III, insert the following:

SEC. 306. There are appropriated, out of any money in the Treasury not otherwise appropriated, to carry out section 208 of the Education Sciences Reform Act of 2002, \$80,000,000. All amounts in this Act for management and administration at the Department of Education are reduced on a pro rata basis by an amount required to offset the \$80,000,000 appropriation made by this section.

SA 1622. Mr. SPECTER (for himself, Mr. HARKIN, Mrs. FEINSTEIN, Ms. COLLINS, Ms. SNOWE, Mr. DORGAN, Mrs. CLINTON, Mr. LIEBERMAN, Ms. MIKULSKI, Mr. LAUTENBERG, Mr. LEAHY, Mrs. MURRAY, Mr. CORZINE, Mr. DURBIN, Mr. SARBANES, Mr. SCHUMER, Ms. CANTWELL, Mr. REID, Mr. JOHNSON, Mr. KENNEDY, and Ms. STABENOW) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending Sep-

tember 30, 2004, and for other purposes; as follows:

On page 61, between lines 14 and 15, insert the following:

SEC. . In addition to any amounts otherwise appropriated under this Act under the heading of NATIONAL INSTITUTES OF HEALTH—OFFICE OF THE DIRECTOR, there are appropriated an additional \$1,500,000,000 for programs and activities under the discretion of the Office of the Director of the National Institutes of Health. Such additional amount shall be designated as emergency spending pursuant to section 502(c) of House Concurrent Resolution 95 (108th Congress).

SA 1623. Mr. DEWINE (for himself, Mr. SANTORUM, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 61, between lines 14 and 15, insert the following:

SEC. ____ (a) MOTHER-TO-CHILD HIV TRANSMISSION PREVENTION.—In addition to any amounts otherwise made available under this Act to carry out mother-to-child HIV transmission prevention activities, there shall be made available an additional \$60,000,000 to carry out such activities and \$1,000,000 for non-mother-to-child activities.

(b) REDUCTION IN AMOUNTS.—Amounts made available under this Act for the administrative and related expenses for departmental management for the Department of Labor, the Department of Health and Human Services, the Department of Education, shall be reduced on a pro rata basis by \$61,000,000.

SA 1624. Mr. HARKIN (for Mr. BINGAMAN) proposed an amendment to amendment SA 1594 submitted by Mr. REED and intended to be proposed to the amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the end of title III, insert the following:

SEC. . For activities authorized by part H of title I of the Elementary and Secondary Education Act, there are hereby appropriated up to \$5,000,000, which may be used to carry out such activities.

SA 1625. Ms. HARKIN (for Ms. MIKULSKI) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place in title II, insert the following:

SEC. . STUDIES CONCERNING MAMMOGRAPHY STANDARDS.

(a) STUDY BY GAO.—
(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the program established under the Mammography Quality Standards Act of 1992 (section 354 of the Public Health Service Act (42 U.S.C. 263b)) (referred to in this section as the "MQSA") to—

(A) evaluate the demonstration program regarding frequency of inspections authorized under section 354(g) of the Public Health Service Act (42 U.S.C. 263b(g)), including the effect of the program on compliance with the MQSA;

(B) evaluate the factors that contributed to the closing of the approximately 700 mammography facilities nationwide since 2001, whether those closings were due to consolidation or were a true reduction in mammography availability, explore the relationship between certified units and facility capacity, and evaluate capacity issues, and determine the effect these and other closings have had on the accessibility of mammography services, including for underserved populations, since the April 2002 General Accounting Office report on access to mammography; and

(C) evaluate the role of States in acting as accreditation bodies or certification bodies, or both, in addition to inspection agents under the MQSA, and in acting as accreditation bodies for facilities in other States and determine whether and how these roles affect the system of checks and balances within the MQSA.

(2) REPORT.—Not later than 16 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives a report on the study described in paragraph (1).

(b) STUDY BY THE INSTITUTE OF MEDICINE.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of Health and Human Services shall enter into an agreement with the Institute of Medicine of the National Academy of Sciences for the conduct of a study and the making of recommendations regarding the following:

(A) Ways to improve physicians' interpretations of mammograms, including approaches that could be taken under the MQSA without

* * * * *

assessment of mammography quality and access.

(E) Other approaches that would improve the quality of and access to mammography services, including approaches to improving provisions under the MQSA.

(F) Steps that should be taken to help make available safe and effective new screening and diagnostic devices and tests for breast cancer.

(2) REPORT.—Not later than 15 months after the date on which the agreement is entered into under paragraph (1), the Institute of Medicine shall complete the study described under such subsection and submit a report to the Secretary of Health and Human Services, the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate, and the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives.

(3) FUNDING.—Of the amounts appropriated under this title to the Office of the Secretary of Health and Human Services for general departmental management, \$500,000 shall be made available to carry out the study under this subsection.

SA 1626. Mr. HARKIN (for Mr. DASCHLE) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for

the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place in title II, insert the following:

SEC. ____ (a) FINDINGS.—The Senate finds that—

(1) Native American populations have seen an alarming increase in sexually transmitted disease prevalence in recent years; and

(2) a screening, treatment, and education program, administered by tribal health organizations or local health care providers, on Native American reservations with high rates of sexually transmitted diseases will help prevent a corresponding increase in the prevalence of HIV.

(b) GRANT PROGRAM.—From amounts appropriated under this title for the Centers for Disease Control and Prevention, there may be made available up to \$1,000,000 to enable the Director of the Centers for Disease Control and Prevention to carry out competitive grant program to strengthen local capacity on Native American reservations to screen for and treat sexually transmitted diseases and to educate local populations about such diseases, the consequences thereof, and how the transmission of such diseases can be prevented.

SA 1627. Mr. HARKIN (for Mr. DODD (for himself and Mrs. LINCOLN)) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 61, between lines 14 and 15, insert the following:

SEC. ____ In addition to any amounts otherwise appropriated under this Act for the support of the improved newborn and child screening for heritable disorders program authorized under section 1109 of the Public Health Service Act (42 U.S.C. 300b-8), there may be appropriated up to an additional \$2,000,000 to carry out such program.

SA 1628. Mr. HARKIN (for Mr. KENNEDY) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 18, line 14: strike "\$440,113,000" and insert "\$445,113,000".

On page 18, line 17, insert before the period the following: ", of which \$5,000,000 may be used to fund the mass layoff statistics program under section 15 of the Wagner-Peyser Act (29 U.S.C. 491-2)".

SA 1629. Mr. SPECTER (for Mr. MCCAIN (for himself and Mr. BAYH)) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place in title V, insert the following:

SEC. ____ In addition to any amounts otherwise appropriated under this Act for

the Special Volunteers for Homeland Security program, there may be appropriated an additional \$5,000,000 for such program.

SA 1630. Mr. SPECTER proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 57, between lines 14 and 15, insert the following:

"(C) in subsection (b)(1)—

"(i) in subparagraph (A), by striking 'and' at the end;

"(ii) in subparagraph (B), by striking the period and inserting "; and"; and

"(iii) by adding at the end the following:

"(C) one or more categories of aliens who are or were nationals and residents of the Islamic Republic of Iran who, as members of a religious minority in Iran, share common characteristics that identify them as targets of persecution in that state on account of race, religion, nationality, membership in a particular social group, or political opinion."; and".

SA 1631. Mr. HARKIN (for Mr. SCHUMER) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place, insert the following:

DANIEL PATRICK MOYNIHAN GLOBAL AFFAIRS INSTITUTE

SEC. ____ (a) DEFINITIONS.—In this section:

(1) ENDOWMENT FUND.—The term "endowment fund" means a fund established by the Maxwell School of Citizenship and Public Affairs of the Syracuse University in Syracuse, New York, for the purpose of generating income for the support of the School and other purposes as described in subsection (d).

(2) SCHOOL.—The term "School" means the Maxwell School of Citizenship and Public Affairs of the Syracuse University in Syracuse, New York.

(3) SECRETARY.—The term "Secretary" means the Secretary of Education.

(4) UNIVERSITY.—The term "University" means the Syracuse University in Syracuse, New York.

(b) DANIEL PATRICK MOYNIHAN GLOBAL AFFAIRS INSTITUTE.—

(1) REDESIGNATION.—To be eligible for a grant under subsection (c), the University shall designate the global affairs institute within the Maxwell School of Citizenship and Public Affairs of the University as the "Daniel Patrick Moynihan Global Affairs Institute".

(2) REFERENCES.—Any reference in a law, map, regulation, paper, or other record to the global affairs institute within the Maxwell School of Citizenship and Public Affairs of the University, shall be deemed to be a reference to the Daniel Patrick Moynihan Global Affairs Institute.

(c) GRANT FOR ENDOWMENT FUND.—From amounts appropriated under subsection (f), the Secretary may award a grant to the University for the establishment of an endowment fund to support the Daniel Patrick Moynihan Global Affairs Institute.

(d) DUTIES.—Amounts received under a grant under subsection (c), shall be used to—

(1) carry on the public and intellectual tradition of Senator Daniel Patrick Moynihan;

(2) sustain all of the core activities of the School;

(3) fund the residencies of visiting scholars and international leaders;

(4) support scholarship, training, and practice in countries that are often the most impoverished economically, institutionally, and civically;

(5) support partnerships with governments and other relevant entities around the world to train government officials both at the School and in their home countries; and

(6) expand the facilities of the School.

(e) MISCELLANEOUS PROVISIONS RELATING TO THE ENDOWMENT FUND.—

(1) MANAGEMENT.—The endowment fund established under subsection (c) shall be managed in accordance with the standard endowment policies established by the University.

(2) USE OF INTEREST AND INVESTMENT INCOME.—Interest and other investment income earned from the endowment fund may be used to carry out the duties under subsection (d).

(3) DISTRIBUTION OF INTEREST AND INVESTMENT INCOME.—Funds derived from the interest and other investment income earned from the endowment fund shall be available for expenditure by the University for purposes consistent with subsection (d).

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$10,000,000 to remain available until expended.

SA 1632. Mr. SPECTER (for Mr. SESSIONS) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 61, between lines 14 and 15, insert the following:

SEC. ____ Not later than 120 days after the date of enactment of this Act, the Director of the Centers for Disease Control and Prevention shall prepare a plan to comprehensively address blood safety and injection safety in Africa under the Global AIDS Program.

SA 1633. Mr. HARKIN (for Mr. FEINGOLD) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 20, line 19, strike the period at the end and insert ": *Provided further*, That of this amount, sufficient funds shall be available for the Secretary of Labor, not later than 60 days after the last day of the fiscal year, to submit to Congress a report on the amount of acquisitions made by the Department of Labor during such fiscal year of articles, materials, or supplies that were manufactured outside the United States. Such report shall separately indicate the dollar value of any articles, materials, or supplies purchased by the Department of Labor that were manufactured outside the United States, an itemized list of all waivers under the Buy American Act (41 U.S.C. 10a et seq.) that were granted with respect to such articles, materials, or supplies, and a summary of total procurement funds spent on goods manufactured in the United States versus

funds spent on goods manufactured outside of the United States. The Secretary of Labor shall make the report publicly available by posting the report on an Internet website.

On page 49, line 21, strike the period and insert “: *Provided further*, That of this amount, sufficient funds shall be available for the Secretary of Health and Human Services, not later than 60 days after the last day of the fiscal year, to submit to Congress a report on the amount of acquisitions made by the Department of Health and Human Services during such fiscal year of articles, materials, or supplies that were manufactured outside the United States. Such report shall separately indicate the dollar value of any articles, materials, or supplies purchased by the Department of Health and Human Services that were manufactured outside the United States, an itemized list of all waivers under the Buy American Act (41 U.S.C. 10a et seq.) that were granted with respect to such articles, materials, or supplies, and a summary of total procurement funds spent on goods manufactured in the United States versus funds spent on goods manufactured outside of the United States. The Secretary of Health and Human Services shall make the report publicly available by posting the report on an Internet website.”

On page 74, line 4, strike “Washington, D.C.” and insert “Washington, D.C.: *Provided*, That of this amount, sufficient funds shall be available for the Secretary of Education, not later than 60 days after the last day of the fiscal year, to submit to Congress a report on the amount of acquisitions made by the Department of Education during such fiscal year of articles, materials, or supplies that were manufactured outside the United States. Such report shall separately indicate the dollar value of any articles, materials, or supplies purchased by the Department of Education that were manufactured outside the United States, an itemized list of all waivers under the Buy American Act (41 U.S.C. 10a et seq.) that were granted with respect to such articles, materials, or supplies, and a summary of total procurement funds spent on goods manufactured in the United States versus funds spent on goods manufactured outside of the United States. The Secretary of Education shall make the report publicly available by posting the report on an Internet website.”

SA 1634. Mr. HARKIN (for Mr. HOLLINGS) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 41, insert the following before the period on line 9: “: *Provided further*, that to the extent Medicare claims processing unit costs are projected by the Centers for Medicare & Medicaid Services to exceed \$0.87 for Part A claims and/or \$0.65 for Part B claims, up to an additional \$18,000,000 may be available for obligation for every \$0.04 increase in Medicare claims processing unit costs from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds. The calculation of projected unit costs shall be derived in the same manner in which the estimated unit costs were calculated for the Federal budget estimate for the fiscal year.”

SA 1635. Mr. SPECTER (for Mr. ALEXANDER (for himself, Mr. DODD, Mr. KENNEDY, and Mrs. MURRAY)) proposed an amendment to amendment SA 1542

proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 61, between lines 14 and 15, insert the following:

SEC. ____ (a) In addition to any amounts otherwise appropriated under this Act to carry out activities under the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 et seq.), there are appropriated—

(1) up to an additional \$143,000 may be used to carry out activities under title I of such Act (child abuse State grants);

(2) up to an additional \$212,000 may be used to carry out activities under title II of such Act (community-based resource centers); and

(3) up to an additional \$2,100,000 may be used for child abuse discretionary grants under such Act.

SA 1636. Mr. HARKIN (for Mr. DASCHLE) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place in title II, insert the following:

SEC. ____ (a) FINDINGS.—The Senate finds that—

(1) a recent Aberdeen Area Indian Health Service infant mortality study identified protective and risk factors associated with Sudden Infant Death Syndrome (referred to in this section as “SIDS”);

(2) several conclusions from the study suggest courses of action to reduce the incidence of SIDS among Native American and other high-incidence populations;

(3) the study noted that alcohol consumption by women of childbearing age (especially during pregnancy), maternal and environmental tobacco exposure during pregnancy, and pregnancy by women under the age of 20 increase the risk for SIDS;

(4) in 2000, for infants of African American mothers, the SIDS death rate was 2.4 times that for non-Hispanic white mothers;

(5) nationwide, SIDS rates for infants of Native American mothers were 2.6 times those of non-Hispanic white mothers; and

(6) the Office of Minority Health of the Department of Health and Human Services has the expertise to coordinate SIDS disparity reduction efforts across the Department of Health and Human Services.

(b) INCREASE IN FUNDING.—In addition to any amounts otherwise appropriate in this Act to carry out activities to reduce Sudden Infant Death Syndrome disparity rates, the may be appropriated up to an additional \$2,000,000 to enable the Director of the Office of Minority Health of the Department of Health and Human Services to carry out a demonstration project, in coordination with the Administrator of the Health Resources and Services Administration, the Director of the National Institutes of Health, the Director of the Indian Health Services, the Administrator of the Center for Medicare & Medicaid Services, the Director of the Centers for Disease Control and Prevention, and the heads of other agencies within the Department of Health and Human Services (as appropriate), to reduce Sudden Infant Death Syndrome disparity rates, and to provide risk reduction education to African American and Native American populations in the

United States, including efforts to reduce alcohol use by pregnant women, support for smoking cessation (maternal and second-hand) programs, and education of teenagers on the risk factors for Sudden Infant Death Syndrome associated with teenage pregnancy within African American and Native American communities.

(c) SENSE OF THE SENATE.—It is the sense of the Senate that in carrying out the demonstration project under subsection (b), the Director of the Office of Minority Health is encouraged to—

(1) expand upon the similar pilot program for Native Americans that was funded by the Office of Minority Health; and

(2) coordinate with the Administrator of the Health Resources and Services Administration, the Director of the Centers for Disease Control and Prevention, the Director of the National Institutes of Health, the Director of the Indian Health Services, the Administrator of the Center for Medicare & Medicaid Services, and the heads of other agencies within the Department of Health and Human Services (as appropriate) to support activities to reduce alcohol use by pregnant women, support smoking cessation (maternal and secondhand), and educate teenagers on the risk factors for SIDS associated with teenage pregnancy within the African American and Native American communities.

SA 1637. Mr. HARKIN (for Mr. KENNEDY) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place in title II, insert the following:

SEC. ____ (a) AUTOMATIC EXTERNAL DEFIBRILLATORS.—There may be appropriated up to, \$2,000,000 to fund programs on community automatic external defibrillators under section 312 of the Public Health Service Act (42 U.S.C. 244).

(b) OFFSET.—Of the funds appropriated under this Act for the National Institutes of Health, \$15,000,000 shall not be available for obligation until September 30, 2004. The amount \$6,895,199,000 in section 305(a)(1) of this Act shall be deemed to be \$6,905,199,000, and the amount \$6,783,301,000 in section 305(a)(2) of this Act shall be deemed to be \$6,773,301,000.

SA 1638. Mr. SPECTER (for Mr. BOND (for himself, Mrs. CLINTON, Mrs. MURRAY, Ms. CANTWELL, and Mr. SCHUMER)) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the end of title I, insert the following:

SEC. ____ The Department of Labor may cease the implementation of closing procedures for the Department of Labor Employment and Training administration regional office in New York City, New York, and the Employment and Training Administration affiliate offices in Seattle, Washington, Kansas City, Missouri, and Denver, Colorado until September 30, 2004.

SA 1639. Mr. HARKIN (for Mr. FEINGOLD (for himself and Ms. COLLINS))

proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 61, between lines 14 and 15 insert the following:

SEC. ____ From the amounts appropriated under the heading OFFICE OF THE SECRETARY, GENERAL DEPARTMENTAL MANAGEMENT there may be made available an additional \$2,000,000 to the Health Resources and Services Administration for the purchase of automatic external defibrillators and the training of individuals in cardiac life support in rural areas.

SA 1640. Mr. SPECTER submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 61, between lines 14 and 15, insert the following:

"SEC. . Notwithstanding any other provisions of law, funds made available under this heading may be used to continue operating the Council on Graduate Medical Education established by Section 301 of Public Law 102-408."

SA 1641. Mr. SPECTER (for Mr. CHAMBLISS) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 28, line 6, strike "\$250,000,000" and insert "\$260,000,000" in lieu thereof.

On page 28, line 5, insert after "; and" the following: "purchase."

SA 1642. Mr. SPECTER (for Mr. ROBERTS (for himself and Mr. CONRAD)) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 27, line 2, insert before the period the following: " Provided further, That up to \$15,000,000 may be made available to carry out the rural emergency medical service training and equipment assistance program under section 330J of the Public Health Service Act (42 U.S.C. 254c-15)".

SA 1643. Mr. SPECTER proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place in Section 515(a): Increase the amount by \$37,455,000.

SA 1644. Mr. SPECTER (for himself and Mr. BYRD) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 23, between lines 15 and 16, insert the following:

SEC. ____ (a) FINDINGS.—Congress finds that—

(1) it is projected that the Department of Labor, in conjunction with labor, industry, and the National Institute for Occupational Safety and Health, will be undertaking several months of testing on Personal Dust Monitor production prototypes; and

(2) the testing of Personal Dust Monitor prototypes is set to begin (by late May or early June of 2004) following the scheduled delivery of the Personal Dust Monitors in May 2004.

(b) RE-PROPOSAL OF RULE.—Following the successful demonstration of Personal Dust Monitor technology, and if the Secretary of Labor makes a determination that Personal Dust Monitors can be effectively applied in a regulatory scheme, the Secretary of Labor shall re-propose a rule on respirable coal dust which incorporates the use of Personal Dust Monitors, and, if such rule is re-proposed, the Secretary shall comply with the regular procedures applicable to Federal rulemaking.

SA 1645. Mr. HARKIN (for himself and Mr. DASCHLE) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

Add at the appropriate Place:

SECTION 1. DESIGNATION OF SENATOR PAUL D. WELLSTONE NIH MDCRC PROGRAM.

(a) FINDINGS.—Congress finds the following:

(1) On December 18, 2001, Public Law 107-84, otherwise known as the Muscular Dystrophy Community Assistance, Research and Education Amendments of 2001, or the MD CARE Act, was signed into law to provide for research and education with respect to various forms of muscular dystrophy, including Dechenne, Becker, limb girdle, congenital, facio-scapulothoracic, myotonic, oculopharyngeal, distal, and EmeryDreiffus muscular dystrophies.

(2) In response to the MD CARE Act of 2001, in September 2002, NIH announced its intention to direct \$22.5 million over five years to its newly created Muscular Dystrophy Cooperative Research Centers (MDCRC) program.

(3) Senator Paul D. Wellstone was a driving force behind enactment of the MD CARE Act, which led to the establishment of the MDCRC program.

(b) DESIGNATION.—The NIH Muscular Dystrophy Cooperative Research Centers (MDCRC) program shall be known and designated as the "Senator Paul D. Wellstone Muscular Dystrophy Cooperative Research Centers," in honor of Senator Paul D. Wellstone who was deceased on October 25, 2002.

(c) REFERENCES.—Any reference in a law, regulation, document.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet in open Executive Session during the session on Wednesday, September 10, 2003, at 10 a.m., to consider a substitute to H.R. 4, to reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care and for other purposes; and S. 622, the Family Opportunity Act of 2003.

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

SUBCOMMITTEE ON TERRORISM, TECHNOLOGY, AND HOMELAND SECURITY

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Terrorism, Technology and Homeland Security be authorized to meet to conduct a hearing on "Terrorism: Two Years After 9/11, Connecting the Dots," on Wednesday, September 10, 2003, at 10 a.m., in room 226 of the Dirksen Senate Office Building.

Witness List:

Panel I: Mr. Simon Henderson, Founder Saudi Strategies, London, UK; Mr. Matthew Epstein, Attorney, Terrorism Analyst and Assistant Director of Research for the Investigative Project, Washington, DC; Mr. Nihad Awad, Director, Council on American Islamic Relations; or Mr. Omar Ahmed, Chairman of the Board, Council on American Islamic Relations, Washington, DC.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE AND THE DISTRICT OF COLUMBIA

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia be authorized to meet on Wednesday, September 10, 2003 at 9 a.m. for a hearing entitled, "The 2003 Blackouts: The Federal Response."

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

PRIVILEGE OF THE FLOOR

Ms. LANDRIEU. I ask unanimous consent that Kathleen Stottman be granted the privilege of the floor.

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

AIDS

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I ask unanimous consent to speak for 2 minutes.

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

Mr. SESSIONS. Mr. President, in part of this bill was language that requires the CDC to develop a plan to deal with the medical transmission of AIDS in Africa. The science is coming in clearer and clearer that a substantial portion of the infections in Africa result from transmissions from blood transfusions or the reuse of needles for injections.

In fact, we believe the World Health Organization numbers say that 10 percent are caused by it. That means as many as 300,000 infections in Africa are, in fact, a death sentence caused by unsafe medical practices. We need to end that. We can end that.

We have had two hearings I have conducted. It is a moral crisis. It should not be allowed to continue. Our medical agencies, including Health and Human Services, CDC, and particularly WHO, have been slow to respond. My remarks go into great detail about the science behind this. It has raised the concern of human rights groups as well as health groups. We will continue to proceed. We will be discussing in more depth the need for focus.

By WHO's own number, they can virtually eliminate this problem for less than \$100 million a year. We will be spending \$3 billion a year when the AIDS program in Africa is rolling. We can fund this. We can eliminate this and 300,000 people a year being infected would be stopped. There are even studies that show 670,000 Africans in South Africa from the age of 2 to 14 are now infected by HIV, much of that from unsafe health practices. It is a dilemma for us. We have to act quickly and not delay.

As this Congress takes up the task of funding a landmark global effort to combat HIV/AIDS, it is imperative that lawmakers consider an aspect of this crisis that has consistently not received the prominence it deserves.

I would like to thank Senator SPECTER for his help in bringing this issue to light during our consideration of appropriations for the Departments of Labor and HHS.

While we are all aware of many excellent programs that seek to treat this virus or prevent its transmission, it is widely unrecognized that, even by conservative estimates, each day 1,000 Africans who go to hospitals, clinics, or local doctors seeking treatment come away infected with a deadly disease.

They contract this virus through unsafe injections given with needles and syringes that are often reused again and again, or through contaminated transfusions with blood that is never screened for HIV, hepatitis B, hepatitis C, or other potentially deadly diseases.

In March of this year, the Washington Times reported that Dr. David Gisselquist and his colleague John Potterat had published an article in the International Journal of STD & AIDS, a publication of the British Royal Society of Medicine, that presented evidence that the reuse of needles and syringes has played a major role in the African HIV/AIDS epidemic.

This article challenged the conventional wisdom in the international public health community that heterosexual contact is the primary route of transmission for HIV in Africa and that medical transmission of the disease did not require its foremost attention.

Dr. Gisselquist pointed to a number of pieces of evidence supporting his conclusion that medical exposures account for a large proportion of HIV transmission.

Dr. Gisselquist conducted an extensive review of refereed journal articles on the epidemiology of the African HIV epidemic. A careful analysis of the data behind these studies enabled him to identify the following trends:

Multiple studies found HIV-infected children whose mothers test negative for the virus. Many of these children are far too young to have contracted HIV through sexual practices or drug use, leaving their infections unexplained by conventional assumptions about the spread of this disease.

It was found, however, that these children bearing the HIV virus had, on average, received nearly twice as many injections of vaccines and medicines than their uninfected peers, leading researchers to conclude that there was a strong correlation between the number of injections a child received and that child's chances of contracting HIV.

International groups involved in large-scale vaccination campaigns have long realized that injection safety is an indispensable element of their work. This realization followed events such as the tremendous epidemic of hepatitis C in Egypt following a nationwide effort to vaccinate against schistosomiasis.

This is still thought to represent "the world's largest iatrogenic transmission event," contributing to an appalling 18 percent prevalence of the deadly hepatitis C virus in the Egyptian population.

Since the recognition that unsafe injections pose an unacceptable risk in vaccination campaigns, international efforts now almost universally include adequate injection safety training and supplies. These limited efforts are commendable but more needs to be done.

To understand the proportion of the problem that remains to be addressed, one must note the distinction between injections given for vaccinations and therapeutic injections, or injections given for the purpose of treating infections or other disease processes.

It has been estimated that worldwide, therapeutic injections outnumber vaccinations by about nine to one, totaling approximately 12 billion injections administered each year in the developing world, including the African nations of the global AIDS initiative.

Despite this fact, and the demonstrated risks associated with unsafe injections, leaders in the field of HIV prevention have warned that "little attention has been paid to the systematic correction of widespread unsafe prac-

tices resulting in disease transmission through therapeutic injections."

There are so many tragic aspects of this problem:

Hard-working frontline doctors and nurses inadvertently contribute to the spread of the very diseases they are struggling to treat;

The health care system in developing nations frequently does not provide either necessary education in proper injection practices or, for those providers who are striving to follow model practices, the relatively inexpensive supplies necessary to succeed;

Citizens come to trusted institutions for medical treatment for themselves, or for their children, and are unknowingly infected.

Ironically, these people do not, based on present AIDS prevention education, have any reason to view themselves as high-risk. They have not engaged in unsafe sex or intravenous drug use—they have merely acted responsibly and gone to the doctor.

Subsequently, these victims go home and, again unknowingly, pass HIV or other deadly diseases to their own families—husbands to wives, wives to husbands, mothers to children.

In this manner, this "hidden" source of disease transmission continues to fuel the epidemic, capitalizing on a large blind spot in the current HIV prevention orthodoxy.

At the outset of the AIDS epidemic in the United States, both the U.S. Government and the public declared that the blood supply must be rendered absolutely safe.

The Federal Government and the public health community moved rapidly to ensure that every single unit of blood donated in this country is tested for the HIV virus.

It is estimated that 25 percent of blood donated in Africa is never tested for HIV and that up to 80 percent is never tested for hepatitis.

It is estimated by the respected group, Safe Blood for Africa, that as a consequence of this breakdown, approximately 15 percent of the sub-Saharan African blood supply is infected with HIV and 20 percent with hepatitis.

The World Health Organization estimates that up to 10 percent of new HIV cases in Africa may be due to contaminated blood transfusions.

Once again, it is clear that transfusions of contaminated blood result in yet another "hidden" source of disease transmission fueling this epidemic.

Seventy percent of the recipients of these high-risk transfusions are women and children, making blood safety a crucial component of our larger effort to fight HIV/AIDS in mothers and children.

This figure is linked to the high incidence in Africa of malaria, which frequently causes severe anemia, particularly in children, and of severe postpartum bleeding. It is important to recognize, too, that even in the treatment of anemia related to these common conditions, best medical practices

would dictate that many of these transfusions are unnecessary.

This is just one more example of the potential to decrease the risk to people of deadly infection, as well as the considerable cost of these unnecessary transfusions through educating providers on simple guidelines for transfusion.

This administration, and our respected majority leader, Dr. BILL FRIST, have declared that ending the mother-to-child transmission of HIV is of the utmost importance in the overall global AIDS initiative.

One of the most startling facts about the healthcare transmission of HIV in Africa is the fact that injection safety and blood safety have been specifically singled out by researchers as the most cost-effective means of preventing the spread of HIV.

A study published by the WHO in 1999 suggested that addressing the problem of unsafe injections might well result in actual savings for the governments and organizations financing the fight against AIDS. These savings would be generated both by a reduction in the number of unnecessary injections, which, amazingly, may account for a majority of therapeutic injections actually given in the developing world, and by avoiding the tremendous financial drain associated with the averted infections.

In testimony before the HELP committee at a hearing I chaired in July, one of the leading WHO researchers confirmed both his own conclusion that ending unsafe injection practices would be eminently cost-effective and his projection that blood safety efforts would prove to be similarly so.

As noted previously, the World Health Organization's Department of Blood Safety and Clinical Technology has, working with a variety of groups, produced a strong body of research on both injection safety and blood safety in Africa.

At my urging, the Department of Health and Human Services has undertaken the task of reviewing all of the available data to better define the true magnitude of health care transmission through unsafe injections. At this very moment, the Research Triangle Institute, the private clinical research organization awarded the contract for this study, is working toward this goal.

The results of this study will be reviewed by an independent panel of experts in the field, and I am pleased to note that we do anxiously await the results of this analysis, which is due to be completed next month.

My eagerness to see action on this problem is fueled by evidence that there have been some real successes on the ground in Africa, in some of the poorest nations in the world:

In Burkina Faso, where in 1995 it was estimated that injection equipment was reused at rates ranging from 20 percent in urban areas to an appalling 90 percent in rural regions, the answer was supply. When adequate disposable

injection equipment was available through community pharmacies, the rate of reuse dropped 92 percent within 5 years.

At the HELP committee hearing I chaired on July 31, it was very encouraging to hear the testimony of Dr. John Ssemakula a physician from Uganda, who was able to describe the great strides his country has made in cleaning up injection practices. Dr. Ssemakula was also able to convey the plea of the dedicated men and women on the frontlines of health care in Uganda—that they be provided with the equipment they need to provide safe injections.

These are intelligent, well-educated, well-intentioned people and they simply want enough syringes to provide their patients with safe care.

I have been pleased, over the past several months, to have had the opportunity to express my concerns to Randall Tobias, the incoming Global AIDS Coordinator at the State Department, and to Dr. Joe O'Neill, director of the White House Office of National AIDS policy and the new deputy coordinator and chief medical officer in the office of the coordinator.

I hope that these gentlemen came away with a good understanding of the crucial importance of addressing the healthcare transmission of HIV, and I look forward to continuing to work with the administration and other key parties to the global AIDS effort.

One of the greatest disappointments I have encountered in my effort to draw attention and resources to this problem has been the response of the leadership of the World Health Organization.

That being said, groups within the World Health Organization continue to do commendable work in the area of healthcare transmission, including Department of Blood Safety and Clinical Technology, which has made progress in the area of blood safety and, within this department, the Safe Injection Global Network, which is a pioneer in the field of injection safety.

The disconnect between the good work being done by committed people within this organization and the determined resistance of leadership to even acknowledging that this is a substantial problem is really appalling.

The World Health Organization and a number of other major public health entities responded to Dr. Gisselquist's conclusions not as an invitation to reassess their data, but instead mounted a defensive response that consisted of an unyielding insistence on their own, admittedly conservative figures and a campaign to discredit Dr. Gisselquist.

At the very World Health Organization conference where its own researchers were presenting evidence that healthcare transmission is a more substantial problem that prior WHO numbers would suggest, the leadership insisted on releasing a public statement that the organization stands by its own previous numbers—even in light of its

own latest research suggesting otherwise.

At the HELP Committee hearing I chaired on this subject in July, Holly Burkhalter of Physicians for Human Rights joined a host of respected witnesses in testifying that the healthcare transmission of HIV is a problem that must be addressed within the Global AIDS initiative. Ms. Burkhalter and her colleague Dr. Eric Friedman subsequently authored an opinion piece that was run in the Washington Post following the hearing that eloquently reiterated this point.

It was shocking to once again open the paper to find that the World Health Organization again declined to lead on the issue of healthcare transmission, an area in which its own researchers are pioneers. Instead, they opted for a competing opinion piece minimizing the problem and opposing the devotion of any additional resources.

As things stand at present, there is still no comprehensive USAID or administration plan to address the healthcare transmission of HIV. I have not been made aware of any plan to address injection safety at all, outside the context of vaccination programs.

Through appropriations directed to USAID, the Global Fund, and the Department of Health and Human Services, the United States Congress represents the single greatest source of funding for the international effort to combat HIV/AIDS. In this capacity, the Congress must require that these funds are accompanied by a moral commitment to apply resources wisely.

It is clear that doing so requires promptly acknowledging and addressing the issue of the healthcare transmission of HIV.

The CDC, through its Global AIDS Program and a variety of other efforts at home and abroad, has accumulated important experience in the prevention of the healthcare transmission of HIV.

This agency provided leadership in ensuring the safety of the U.S. blood supply during the early days of the HIV epidemic here, contributing to the development of one of the world's finest and safest blood banking systems. The CDC continues to provide expertise and support of a multitude of international efforts to promote blood safety.

In the area of injection safety, the CDC has strongly backed efforts to ensure that every injection given in U.S. hospitals and clinics is a safe injection.

Overseas, the agency has supported groups such as the WHO's Safe Injection Global Network, which has conducted important research on safe injection practices in the developing world and also works to disseminate information essential to the implementation of successful injection safety programs.

At a time when the United States is launching an unprecedented campaign against HIV/AIDS in Africa and the Caribbean, the CDC is thus uniquely

positioned to provide the administration and Congress with important guidance in launching the most effective effort possible to end the healthcare transmission of HIV.

While there are a multitude of programs, many of them CDC-supported, addressing various aspects of the healthcare transmission problem, there has been an ongoing failure to launch a coordinated effort to intervene to change conditions on the ground in the African region.

A hallmark of the President's Global AIDS plan has been a commitment to effective coordination and application of resources. This commitment must be extended to ensuring that we put an end, right now, to the appalling daily toll taken by unsafe injections and contaminated blood transfusions in Africa.

The CDC must again take the lead in moving quickly and energetically to outline a plan to comprehensively address injection safety and blood safety in the African nations included in the Global AIDS initiative.

This plan must reflect our intent to intervene in this problem immediately. It must include an assessment of the status of the health care system and existing programs in these countries,

but it must also move beyond this initial assessment stage to outline the supply and logistical requirements that we will need to understand to move forward with real, on-the-ground interventions.

Experts in the field of injection safety suggest that an effective injection safety program must address not only the provision and distribution of safe injection equipment, preferably nonreusable autodisable syringes, but also national-level planning, the education of providers and the public in the appropriate and safe use of injections, and an appropriate program for waste disposal.

Similarly, a strong blood safety program must not only provide rapid access to accurate test kits, but also staff training, quality assurance, and a national-level program to ensure an effective system of donor selection, blood screening, and appropriate utilization of blood products.

Thankfully, these things have all been done before. Moreover, they have been done before by the Centers for Disease Control. It is time that past lessons be applied to the problem before us today, that of the healthcare transmission of HIV.

While we may eagerly anticipate the CDC's contribution, in the form of a strong plan, to be submitted to Congress within 90 days, the interim must not be marked by inaction.

This issue will be before us again soon, when the Senate considers the Foreign Operations appropriations bill, which includes the bulk of the administration's requested appropriations to fund the global AIDS initiative.

I intend to ensure that at that time, the issue of the healthcare transmission of HIV in Africa is not neglected within the greater war on HIV/AIDS.

We have reached an important historical point in the global AIDS epidemic, a point at which the world's leaders have stepped forward to acknowledge the scope of the problem, and its tragedy.

I would like to offer the caution that this tragedy becomes a travesty when the leaders in the global effort are offered clear evidence that intervention is needed, yet continue to allow death sentences to be handed to 1,000 men, women, and children every day through their inaction.