

without regard to whether such information is held by the provider or by another person to which such information was transferred;

"(2) the transfer of any such information by a provider of services to a health care oversight agency, an expert organization, a medical event analysis entity, or a public health authority, shall not be treated as a waiver of any privilege or protection established under paragraph (1) or established under State law.

"(b) PENALTY.—It shall be unlawful for any person to disclose any information described in subsection (a) other than for the purposes provided in such subsection. Any person violating the provisions of this section shall, upon conviction, be fined in accordance with title 18, United States Code, and imprisoned for not more than 6 months, or both.

"(c) APPLICATION OF PROVISIONS.—The protections provided under subsection (a) and the penalty provided for under subsection (b) shall apply to any information (including any data, reports, memoranda, analyses, statements, and other communications) collected or developed pursuant to research, including demonstration projects, with respect to medical error reporting supported by the Director under this part.

**"SEC. 926. AUTHORIZATION OF APPROPRIATIONS.**

"There is authorized to be appropriated to carry out this part, \$50,000,000 for fiscal year 2001, and such sums as may be necessary for subsequent fiscal years."

**SEC. 504. EFFECTIVE DATE.**

The amendments made by section 503 shall become effective on the date of the enactment of this Act.

This Act may be cited as the "Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001."

**SCHUMER AMENDMENT NO. 3695**

(Ordered to lie on the table.)

Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill, H.R. 4577, supra; as follows:

On page 27, line 24, before the period insert the following: "*Provided further*, That in addition to amounts made available under this heading for the National Program of Cancer Registries, an additional \$15,000,000 shall be made available for such Program and special emphasis in carrying out such Program shall be given to States with the highest number of the leading causes of cancer mortality: *Provided further*, That amounts made available under this Act for the administrative and related expenses of the Centers for Disease Control and Prevention shall be reduced by \$15,000,000".

**BINGAMAN AMENDMENT NO. 3696**

(Ordered to lie on the table.)

Mr. BINGAMAN (for himself, Mr. DASCHLE, Mr. JOHNSON, Mr. MCCAIN, Mr. CONRAD, Mrs. MURRAY, Mr. LEAHY, and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill, H.R. 4577, supra; as follows:

At the end of title III, insert the following:  
**SEC. \_\_\_\_ CONSTRUCTION AND RENOVATION PROJECTS.**

Notwithstanding any other provision of this Act—

(1) the amount made available under this title under the heading "OFFICE OF POSTSECONDARY EDUCATION" under the heading "HIGHER EDUCATION" to carry out section 316 of the Higher Education Act of 1965 is increased by \$6,000,000, which increase shall be used for construction and renovation projects under such section; and

(2) the amount made available under this title under the heading "OFFICE OF POSTSECONDARY EDUCATION" under the heading "HIGHER EDUCATION" to carry out part B of title VII of the Higher Education Act of 1965 is decreased by \$5,000,000.

**HELMS AMENDMENT NO. 3697**

Mr. HELMS proposed an amendment to the bill, H.R. 4577, supra; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_ (a) None of the funds appropriated under this Act to carry out section 330 or title X of the Public Health Service Act (42 U.S.C. 254b, 300 et seq.), title V or XIX of the Social Security Act (42 U.S.C. 701 et seq., 1396 et seq.), or any other provision of law, shall be used for the distribution or provision of postcoital emergency contraception, or the provision of a prescription for postcoital emergency contraception, to an unemancipated minor, on the premises or in the facilities of any elementary school or secondary school.

(b) This section takes effect 1 day after the date of enactment of this Act.

(c) In this section:

(1) The terms "elementary school" and "secondary school" have the meanings given the terms in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(2) The term "unemancipated minor" means an unmarried individual who is 17 years of age or younger and is a dependent, as defined in section 152(a) of the Internal Revenue Code of 1986.

**WELLSTONE (AND JOHNSON)**

**AMENDMENT NO. 3698**

Mr. WELLSTONE (for himself and Mr. JOHNSON) proposed an amendment to the bill, H.R. 4577, supra; as follows:

On page 92, between lines 4 and 5, insert the following:

SEC. \_\_\_\_ (a) LIMITATION ON USE OF FUNDS FOR CERTAIN AGREEMENTS.—Except as provided in subsection (b), none of the funds made available under this Act may be used by the Secretary of Health and Human Services to enter into—

(1) an agreement on the conveyance or licensing of a patent for a drug, or on another exclusive right to a drug;

(2) an agreement on the use of information derived from animal tests or human clinical trials that are conducted by the Department of Health and Human Services with respect to a drug, including an agreement under which such information is provided by the Department to another Federal agency on an exclusive basis; or

(3) a cooperative research and development agreement under section 12 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a) pertaining to a drug, excluding cooperative research and development agreements between the Department of Health and Human Services and a college or university.

(b) EXCEPTIONS.—Subsection (a) shall not apply to an agreement where—

(1) the sale of the drug involved is subject to a price agreement that is reasonable (as defined by the Secretary of Health and Human Services); or

(2) a reasonable price agreement with respect to the sale of the drug involved is not required by the public interest (as defined by such Secretary).

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to apply to any agreement entered into by a college or university and any entity other than the

Secretary of Health and Human Services or an entity within the Department of Health and Human Services.

**HARKIN (AND WELLSTONE)**

**AMENDMENT NO. 3699**

Mr. HARKIN (for himself and Mr. WELLSTONE) proposed an amendment to the bill, H.R. 4577, as follows:

On page 60, line 16, strike "\$7,352,341,000" and insert "\$15,800,000,000."

On page 60, line 19, strike "\$4,624,000,000" and insert "\$13,071,659,000."

**NOTICE OF HEARING**

SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION, AND RECREATION OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources. The purpose of this hearing is to receive testimony on S. 2294, a bill to establish the Rosie the Riveter-World War II Home Front National Historical Park in the State of California, and for other purposes; S. 2331, a bill to direct the Secretary of the Interior to recalculate the franchise fee owned by Fort Sumter Tours, Inc., a concessioner providing service to Fort Sumter National Monument, South Carolina; S. 2598, a bill to authorize appropriations for the United States Holocaust Memorial Museum, and for other purposes; and S. Con. Res. 106, a resolution recognizing the Hermann Monument and Herman Heights Park in New Ulm, Minnesota, as a national symbol of the contributions of Americans of German heritage.

The hearing will take place on Thursday, July 13, 2000, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD-364, Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact Jim O'Toole or Kevin Clark of the Committee staff at (202) 224-6969.

**AUTHORITY FOR COMMITTEES TO MEET**

COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Thursday, June 29, 2000. The purpose of this meeting will be to mark up new legislation.

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

## COMMITTEE ON ARMED SERVICES

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, June 29, 2000, at 9:15 a.m., in closed session to mark up the Fiscal Year 2001 Intelligence Authorization Act.

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

## COMMITTEE ON ARMED SERVICES

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, June 29, 2000, at 10 a.m., in open and closed session to receive testimony on the report of the National Missile Defense Independent Review Team.

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

## COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet during the session of the Senate on Thursday, June 29, 2000, at 1 p.m., for a hearing regarding Oversight of Rising Oil Prices and the Efficiency and Effectiveness of Executive Branch Response—Part II.

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

## COMMITTEE ON THE JUDICIARY

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, June 29, 2000, at 10 a.m., in SD226.

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

## SUBCOMMITTEE ON FISHERIES, WILDLIFE, AND WATER

Mr. FRIST. Mr. President, I ask unanimous consent that the Subcommittee on Fisheries, Wildlife, and Water be authorized to meet during the session of the Senate on Thursday, June 29, at 9:30 a.m., to conduct a hearing to receive testimony on pending issues in the implementation of the Safe Drinking Water Act.

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

## SUBCOMMITTEE ON FORESTS AND PUBLIC LANDS

Mr. FRIST. Mr. President, I ask unanimous consent that the Subcommittee on Forests and Public Lands be authorized to meet during the session of the Senate on Thursday, June 29, at 10 a.m., to conduct an oversight hearing. The subcommittee will receive testimony on the United States Forest Service's Draft Environmental Impact Statement for the Sierra Nevada Forest Plan Amendment, and Draft Supplemental Environmental Impact Statement for the Interior Columbia Basin Ecosystem Management Plan.

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

## SUBCOMMITTEE ON INVESTIGATIONS

Mr. FRIST. Mr. President, I ask unanimous consent that the Perma-

nent Subcommittee on Investigations be authorized to meet during the session of the Senate on Thursday, June 29, 2000, 9:30 a.m., for a hearing entitled "HUD's Government Insured Mortgages: The Problem of Property 'Flipping.'"

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

## SUBCOMMITTEE ON NATIONAL PARKS HISTORIC PRESERVATION AND RECREATION

Mr. FRIST. Mr. President, I ask unanimous consent that the Subcommittee on National Parks, Historic Preservation and Recreation be authorized to meet during the session of the Senate on Thursday, June 29, at 2:30 p.m., to conduct a hearing. The subcommittee will receive testimony on S. 134, a bill to direct the Secretary of the Interior to study whether the Apostle Islands National Lakeshore should be protected as a wilderness area; S. 2051, a bill to revise the boundaries of the Golden Gate National Recreation Area, and for other purposes; S. 2279, a bill to authorize the addition of land to Sequoia National Park, and for other purposes; S. 2512, a bill to convey certain Federal properties on Governors Island, New York.

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

## SUBCOMMITTEE ON SUPERFUND, WASTE CONTROL, AND RISK ASSESSMENT

Mr. FRIST. Mr. President, I ask unanimous consent that the Subcommittee on Superfund, Waste Control, and Risk Assessment be authorized to meet during the session of the Senate on Thursday, June 29, at 2 p.m., to conduct a hearing to receive testimony on S. 2700, the Brownfields Revitalization and Environmental Restoration Act of 2000.

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

## PRIVILEGES OF THE FLOOR

Mr. JOHNSON. Mr. President, I ask unanimous consent that Sharon Boysen of my office be granted floor privileges for the remainder of the day.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar, nominations en bloc: 560 through 563.

I further ask unanimous consent the nominations be confirmed, the motion to consider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

## DEPARTMENT OF JUSTICE

Daniel G. Webber, Jr., of Oklahoma, to be United States Attorney for the Western District of Oklahoma.

James L. Whigham, of Illinois, to be United States Marshal for the Northern District of Illinois for the term of four years.

Russell John Qualliotine, of New York, to be United States marshal for the Southern District of New York for the term of four years.

Julio F. Mercado, of Texas, to be Deputy Administrator of Drug Enforcement.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

## NEOTROPICAL MIGRATORY BIRD CONSERVATION ACT

Mr. STEVENS. Mr. President, I ask the Chair lay before the Senate a message from the House of Representatives on the bill (S. 148), to require the Secretary of the Interior to establish a program to provide assistance in the conservation of neotropical migratory birds.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

*Resolved*, That the bill from the Senate (S. 148) entitled "An Act to require the Secretary of the Interior to establish a program to provide assistance in the conservation of neotropical migratory birds", do pass with the following amendment:

Strike out all after the enacting clause and insert:

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the "Neotropical Migratory Bird Conservation Act".*

**SEC. 2. FINDINGS.**

*Congress finds that—*

(1) of the nearly 800 bird species known to occur in the United States, approximately 500 migrate among countries, and the large majority of those species, the neotropical migrants, winter in Latin America and the Caribbean;

(2) neotropical migratory bird species provide invaluable environmental, economic, recreational, and aesthetic benefits to the United States, as well as to the Western Hemisphere;

(3)(A) many neotropical migratory bird populations, once considered common, are in decline, and some have declined to the point that their long-term survival in the wild is in jeopardy; and

(B) the primary reason for the decline in the populations of those species is habitat loss and degradation (including pollution and contamination) across the species' range; and

(4)(A) because neotropical migratory birds range across numerous international borders each year, their conservation requires the commitment and effort of all countries along their migration routes; and

(B) although numerous initiatives exist to conserve migratory birds and their habitat, those initiatives can be significantly strengthened and enhanced by increased coordination.

**SEC. 3. PURPOSES.**

*The purposes of this Act are—*

(1) to perpetuate healthy populations of neotropical migratory birds;

(2) to assist in the conservation of neotropical migratory birds by supporting conservation initiatives in the United States, Latin America, and the Caribbean; and

(3) to provide financial resources and to foster international cooperation for those initiatives.

**SEC. 4. DEFINITIONS.**

*In this Act:*

(1) **ACCOUNT.**—The term "Account" means the Neotropical Migratory Bird Conservation Account established by section 9(a).