if that offender does not successfully complete such a substance abuse treatment program.

(c) PREFERENCE FOR COMMUNITY-BASED PROGRAMS.—The court shall order, to the greatest extent practicable, that substance abuse treatment for an individual sentenced under subsection (a) shall be provided in the locality in which the individual resides.

SEC. 204. DRUG DEPENDENCY PROGRAM.

(a) IN GENERAL.—The Bureau of Prisons (referred to in this title as the ''Bureau'') shall maintain a drug dependency program for offenders sentenced to incarceration under this title. The program shall consist of—

(1) residential substance abuse treatment; and

(2) aftercare services.

(b) REPORT.—The Bureau of Prisons shall transmit to the Congress on January 1, 2002, and on January 1 of each year thereafter, a report. Such report shall contain—

(1) a detailed quantitative and qualitative description of each substance abuse treatment program, residential or not, operated by the Bureau; and

(2) a complete statement of to what extent the Bureau has achieved compliance with the requirements of this title.

SEC. 205. DEFINITIONS.

In this title—

(1) the term ''residential substance abuse treatment'' means a course of individual and group activities, lasting between 9 and 12 months, in residential treatment programs—

(A) directed at the substance abuse problems of the convicted person;

(B) intended to develop a person's cognitive, behavioral, social, vocational, and other skills so as to solve the convicted person's substance abuse and related problems; and

(C) shall include—

(i) addiction education;

(ii) individual, group, and family counseling pursuant to individualized treatment plans;

(iii) opportunity for involvement in Alcoholics Anonymous, Narcotics Anonymous, or Cocaine Anonymous;

(iv) parenting skills training, domestic violence counseling, and sexual abuse counseling, where appropriate;

(v) HIV education counseling and testing, when requested, and early intervention services for seropositive individuals;

(vi) services that facilitate access to health and social services, where appropriate and to the extent available; and

(vii) planning for and counseling to assist reentry into society, including referrals to appropriate educational, vocational, and other employment-related programs (to the extent available), referrals to appropriate outpatient or other drug or alcohol treatment, counseling, transitional housing, and assistance in obtaining suitable affordable housing and employment upon completion of treatment (and release from prison, if applicable);

(2) the term ''aftercare services'' means a course of individual and group treatment for a minimum of one year or for the remainder of the term of incarceration if less than one year, involving sustained and frequent interaction with individuals who have successfully completed a program of residential substance abuse treatment, and shall include consistent personal interaction between the individual and a primary counselor or case manager, participation in group and individual counseling sessions, social activities targeted toward a recovering substance abuser, and, where appropriate, more intensive intervention; and

(3) the term ''substance abuse or dependency'' means the abuse of or dependency on drugs or alcohol.

SEC. 206. STUDY OF THE EFFECT OF MANDATORY MINIMUM SENTENCES FOR CONTROLLED SUBSTANCE OFFENSES.

Not later than 1 year after the date of enactment of this Act, the United States Sentencing Commission shall submit to the Committees on the Judiciary of the House of Representatives and the Senate a report regarding mandatory minimum sentences for controlled substance offenses, which shall include an analysis of—

(1) whether such sentences may have a disproportionate impact on ethnic or racial groups;

(2) the effectiveness of such sentences in reducing drug-related crime by violent offenders; and

(3) the frequency and appropriateness of the use of such sentences for nonviolent offenders in contrast with other approaches such as drug treatment programs.

PRIVILEGE OF FLOOR

Mr. DURBIN. Mr. President, I ask unanimous consent that the privilege of the floor be granted to Joe Conley, a fellow on my staff, for today.

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

DNA ANALYSIS BACKLOG ELIMINATION ACT OF 2000

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 4640, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4640) to make grants to States for carrying out DNA analyses for use in the Combined DNA Index System of the Federal Bureau of Investigation, to provide for the collection and analysis of DNA samples from certain violent and sexual offenders for use in such system, and for other purposes.

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

AMENDMENT NO. 4359

Mr. GRASSLEY. Mr. President, it is my understanding that Senator LEAHY has an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY], for Mr. LEAHY, proposes an amendment numbered 4359.

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

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

The amendment is as follows:

(Purpose: To express the sense of Congress regarding the obligation of grantee States to ensure access to post-conviction DNA testing and competent counsel in capital cases)

At the appropriate place, insert the following:

SEC. . SENSE OF CONGRESS REGARDING THE OBLIGATION OF GRANTEE STATES TO ENSURE ACCESS TO POST-CONVICTION DNA TESTING AND COMPETENT COUNSEL IN CAPITAL CASES.

(a) FINDINGS.—Congress finds that—

(1) over the past decade, deoxyribo-nucleic acid testing (referred to in this section as ''DNA testing'') has emerged as the most reliable forensic technique for identifying criminals when biological material is left at a crime scene;

(2) because of its scientific precision, DNA testing can, in some cases, conclusively establish the guilt or innocence of a criminal defendant;

(3) in other cases, DNA testing may not conclusively establish guilt or innocence, but may have significant probative value to a finder of fact;

(4) DNA testing was not widely available in cases tried prior to 1994;

(5) new forensic DNA testing procedures have made it possible to get results from minute samples that could not previously be tested, and to obtain more informative and accurate results than earlier forms of forensic DNA testing could produce, resulting in some cases of convicted inmates being exonerated by new DNA tests after earlier tests had failed to produce definitive results;

(6) DNA testing can and has resulted in the post-conviction exoneration of more than 75 innocent men and women, including some under sentence of death;

(7) in more than a dozen cases, post-conviction DNA testing that has exonerated an innocent person has also enhanced public safety by providing evidence that led to the apprehension of the actual perpetrator;

(8) experience has shown that it is not unduly burdensome to make DNA testing available to inmates in appropriate cases;

(9) under current Federal and State law, it is difficult to obtain post-conviction DNA testing because of time limits on introducing newly discovered evidence;

(10) the National Commission on the Future of DNA Evidence, a Federal panel established by the Department of Justice and comprised of law enforcement, judicial, and scientific experts, has urged that post-conviction DNA testing be permitted in the relatively small number of cases in which it is appropriate, notwithstanding procedural rules that could be invoked to preclude such testing, and notwithstanding the inability of an inmate to pay for the testing;

(11) only a few States have adopted post-conviction DNA testing procedures;

(12) States have received millions of dollars in DNA-related grants, and more funding is needed to improve State forensic facilities and to reduce the nationwide backlog of DNA samples from convicted offenders and crime scenes that need to be tested or re-tested using upgraded methods;

(13) States that accept such financial assistance should not deny the promise of truth and justice for both sides of our adversarial system that DNA testing offers;

(14) post-conviction DNA testing and other post-conviction investigative techniques have shown that innocent people have been sentenced to death in the United States;

(15) a constitutional error in capital cases is incompetent defense lawyers who fail to present important evidence that the defendant may have been innocent or does not deserve to be sentenced to death; and

(16) providing quality representation to defendants facing the loss of liberty or life is essential to fundamental due process and the speedy final resolution of judicial proceedings.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Congress should condition forensic science-related grants to a State or State forensic facility on the State's agreement to ensure post-conviction DNA testing in appropriate cases; and

(2) Congress should work with the States to improve the quality of legal representation in capital cases through the establishment of standards that will assure the timely appointment of competent counsel with adequate resources to represent defendants in capital cases at each stage of those proceedings.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the amendment be agreed to.

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

The amendment (No. 4359) was agreed to.

Mr. DEWINE. Mr. President, I rise today to hail the impending passage of H.R. 4640—the DNA Backlog Elimination Act. This is a House companion bill to S. 903—the Violent Offender DNA Identification Act of 1999—which I introduced with my colleague from Wisconsin, Senator KOHL.

While existing anticrime technology can allow us to solve many violent crimes that occur in our communities, in order for this technology to work, it must be used. I have been a longtime advocate for use of the Combined DNA Indexing System (CODIS), which serves as a national DNA data base to profile convicted offender DNA. In fact, during consideration of the Anti-Terriorism Act of 1996, I proposed a provision under which Federal convicted offenders' DNA would be included in CODIS. Unfortunately, the Department of Justice never implemented this law, though currently all 50 States collect DNA from convicted offenders.

One of the purposes of this legislation is to expressly require the collection of DNA samples from federally convicted felons and military personnel convicted of similar offenses. Collection of convicted offender DNA is crucial to solving many of the crimes occurring in our communities. Statistics show that many of these violent felons will repeat their crimes once they are back in society. Since the Federal Government does not collect DNA from these felons, however, the ability of law enforcement to rapidly identify likely suspects is slowed. Collection of such data is critical.

The case of Mrs. Debbie Smith of Virginia underscores the importance of collection of DNA from convicted offenders. Debbie Smith was at her home in the middle of the day when a masked intruder entered her unlocked back door. Her husband, a police lieutenant, was upstairs sleeping. The stranger blindfolded Mrs. Smith and took her to a wooded area behind her house where he robbed and repeatedly raped her. After warning Mrs. Smith not to tell, the assailant let her go. She told her husband, who reported the incident, then took her to the hospital where evidence was collected for DNA analysis.

Debbie Smith's rape experience was so terrible that she contemplated taking her own life. She continued to live in constant fear until 6½ years later when a State crime laboratory found a CODIS match with an inmate then serving in jail for abduction and robbery. In fact, the offender was jailed on another offense 1 month after raping her. There are thousands of other crimes the DNA database can solve. With CODIS we can grant countless victims, like Mrs. Smith, peace of mind and bring their attackers swiftly to justice.

We need to do everything we can to make sure law enforcement has access to these tools. A major obstacle facing State and local crime laboratories are the backlogs of convicted offender samples. The Federal Bureau of Investigation estimates that there are almost one-half million convicted offender samples in State and local laboratories awaiting analysis. Increasing demand for DNA analysis in active cases, and limited resources, are reducing the ability of State and local crime laboratories to analyze their convicted offender backlogs. While I introduced, and Congress passed, the Crime Identification Technology Act of 1998 to address the long-term needs of crime laboratories, many crime laboratories need immediate assistance to address their short-term backlogs that will help law enforcement solve crime.

H.R. 4640 would provide $170 million over 4 years to help State and local crime laboratories address their convicted offender backlogs. Violent criminals should not be able to evade responsibility simply because a State lacks the resources to analyze their DNA samples, or because a loophole excludes certain Federal offenders from our national database. This legislation will be a huge asset for our local law enforcers in their day-to-day fight against crime.

I thank Representative MCCOLLUM for his efforts.

Mr. LEAHY. Mr. President, over the past decade DNA analysis has emerged as the most reliable forensic technique for identifying criminals when biological material is left at a crime scene. Because of its scientific precision, DNA testing can, in some cases, conclusively establish a suspect's guilt or innocence. In other cases, DNA testing may not conclusively establish guilt or innocence, but may have significant probative value for investigators.

While DNA's power to root out the truth has been a boon to law enforcement, it has also been the salvation of law enforcement's mistakes—those who for one reason or another, are prosecuted and convicted of crimes that they did not commit. In more than 75 cases in the United States and Canada, DNA evidence has led to the exoneration of innocent men and women who were wrongfully convicted. This number includes at least 9 individuals sentenced to death, some of whom came within days of being executed. In more than a dozen cases, moreover, post-conviction DNA testing that has exonerated an innocent person has also enhanced public safety by providing evidence that led to the apprehension of the real perpetrator.

Clearly, DNA testing is critical to the effective administration of justice in 21st century America.

As DNA testing has moved to the front lines of the war on crime, our Nation's forensic labs have experienced a significant increase in their caseloads, both in number and complexity. In the six years since Congress established the Combined DNA Index System. States have been busy collecting DNA samples from convicted offenders for analysis and indexing. Increased Federal funding for State and local law enforcement programs has resulted in more and better trained police officers who are collecting immense amounts of evidence that can and should be subjected to crime laboratory analysis.

Funding has simply not kept pace with this increasing demand, and State crime laboratories are now seriously bottlenecked. Backlogs have impeded the use of new technologies like DNA testing in solving cases without suspects—and reexamining cases in which there are strong claims of innocence—as laboratories are required to give priority status to those cases in which a suspect is known. In some parts of the country, investigators must wait several months—and sometimes more than a year—to get DNA test results from rape and other violent crime evidence. Solely for lack of funding, critical evidence remains untested while rapists and killers remain at large, victims continue to anguish, and statutes of limitation on prosecution expire.

Let me describe the situation in my home State. The Vermont Forensics Laboratory is currently operating in an old Vermont State Hospital building in Waterbury, Vermont. Though it is proudly one of only two fully-accredited forensics labs in New England, it is trying to do 21st century science in a 1940's building. The lab has very limited space and no central climate control—both essential conditions for precise forensic science. It also has a large storage freezer full of untested DNA evidence from unsolved cases, for which there are no other leads besides the untested evidence. The evidence is not being processed because the lab does not have the space, equipment or manpower.

I commend the scientists and lab personnel at the Vermont Forensics Laboratory for the fine work they do everyday under difficult circumstances. But the people of the State of Vermont deserve better. This is our chance to provide them with the resources they deserve.

Passage of the DNA Analysis Backlog Elimination Act of 2000, H.R. 4640, will give States like Vermont the help they desperately need to reduce the backlog of untested crime scene evidence from unsolved crimes and untested convicted offender samples. It allocates $170 million over the next four years for grants to States to increase the capacity of their forensic laboratories and carry out DNA analyses of backlogged evidence. Senator SCHUMER and

I have pressed for increased appropriations for these purposes. This authorization bill is a step in the right direction.

In addition to the problem of unanalyzed crime scene and convicted offender evidence, there is an urgent need to address the gap in coverage of the national DNA index that has left out Federal, military, and District of Columbia offenders. The inability to include these offenders in the national index has seriously frustrated efforts to solve crimes and prevent further crimes. The bill that the Senate passes today eliminates the gap in coverage by authorizing the Bureau of Prisons and other Federal agencies to collect, analyze, and index DNA samples from individuals who have been convicted of Federal offenses of a violent or sexual nature. The bill also authorizes needed funding for these purposes, which Senator SCHUMER and I have been working to include in this years' appropriations bills.

While I support H.R. 4640, I believe it falls short in one critical respect: It fails to address the urgent need to increase access to DNA testing for prisoners who were convicted before this truth-seeking technology became widely available. Prosecutors and law enforcement officers across the country use DNA testing to prove guilt, and rightly so. By the same token, however, it should be used to do what is equally scientifically reliable to do—prove innocence.

I was greatly heartened earlier this month when the Governor of Virginia finally pardoned Earl Washington, after new DNA tests confirmed what earlier DNA tests had shown: He was the wrong guy. He was the 88th wrong guy discovered on death row since the reinstatement of capital punishment. His case only goes to show that we cannot sit back and assume that prosecutors and courts will do the right thing when it comes to DNA. It took Earl Washington years to convince prosecutors to do the very simple tests that would prove his innocence, and more time still to win a pardon. And he is still in prison today.

States like Virginia continue to stonewall on requests for DNA testing. They continue to hide behind time limits and procedural default rules to deny prisoners the right to present DNA test results in court. They are still destroying the DNA evidence that could set innocent people free. These sorts of practices must stop. We should not pass up the promise of truth and justice for both sides of our adversarial system that DNA evidence offers.

By passing H.R. 4640, we substantially increase funding to increase the capacity of State and local forensic labs to carry out DNA analysis of crime scene evidence and convicted offender samples. That is an appropriate use of Federal funds. But we at least ought to require that this truth-seeking technology be made available to both sides.

I proposed a modest Sense of Congress amendment to H.R. 4640, which the Senate is passing today. It describes how DNA testing can and has resulted in the post-conviction exoneration of scores of innocent men and women, including some under sentence of death, and expresses the sense of Congress that we should condition forensic science-related grants to a State or State forensic facility on the State's agreement to ensure post-conviction DNA testing in appropriate cases. Because post-conviction DNA testing has shown that innocent people are sentenced to death in this country with alarming frequency, and because the most common constitutional error in capital cases is egregiously incompetent defense lawyering, my amendment also calls on Congress to work with the States to improve the quality of legal representation in capital cases through the establishment of counsel standards.

I introduced legislation in this Congress that would have accomplished both of these things. The Innocence Protection Act of 2000 contains meaningful reforms that I believe could save innocent lives. As the 106th Congress winds down, we have 14 cosponsors in the Senate, and about 80 in the House. We have Democratic and Republican cosponsors, supporters of the death penalty and opponents. President Clinton, Vice President GORE, and Attorney General Reno have all expressed support for the bill.

Tragically, real reform of our nation's capital punishment system foundered on the shoals of election-year politics. But with the Sense of Congress provision that we pass today, at least we have agreed on a blueprint for effective reform legislation in the 107th Congress.

The law enforcement issues addressed by H.R. 4640 are important, but as FBI Director Louis Freeh has acknowledged, ''Post-conviction relief is an equally important issue that requires a solution.'' In a recent letter, Director Freeh pledged to work with me on post-conviction relief issues in the next Congress and I look forward to working with the Director.

Each day that DNA evidence goes uncollected and untested, solvable crimes remain unsolved, and people across the country are needlessly victimized. I hope that the House will move quickly to pass H.R. 4640 as amended before it winds up its work for the year.

Mr. KOHL. Mr. President, I rise today in support of H.R. 4640, the DNA Analysis Backlog Elimination Act of 2000, which is the companion bill to my Violent Offender DNA Identification Act of 1999. This bipartisan measure will put more criminals behind bars by correcting practical and legal shortcomings that leave too much crucial DNA evidence unused and too many violent crimes unsolved.

Currently, all 50 states require DNA samples to be obtained from certain convicted offenders, and these samples increasingly can be shared through a national DNA database established by Federal law. This national database—part of the Combined Database Index System (CODIS)—enables law enforcement officials to link DNA evidence found at a crime scene with any suspect whose DNA is already on file. By identifying repeat offenders, this DNA sharing can and does make a difference. Already the FBI reports that almost 1400 investigations have been aided by the DNA database, solving numerous crimes. And in my home state of Wisconsin, experience proves that DNA ''sharing'' pays off. In fact, just a week before the statute of limitations ran out in a multiple rape investigation, DNA matching helped identify a serial rapist responsible for three rapes in Kenosha and a fourth in Racine. As a result, he's currently serving an 80-year sentence. Without DNA databases, suspects like this otherwise might never be discovered—or convicted.

As valuable as this system is, it is not as effective as it could—or should—be. The effectiveness of the database is directly related to the number of DNA profiles it contains. For every 1,000 new profiles, we can expect to find at least one match, and with every new profile added, the odds for a match increase. However, there are currently two major obstacles to the effective functioning of the database. Our measure would correct these problems and make the database far more productive.

First, thousands of DNA samples that have already been collected still must be analyzed before they can be entered into the national database. The FBI estimates that there is a backlog of over 700,000 DNA samples from convicted offenders languishing, unanalyzed, in state crime laboratories for simple lack of funding.

Our measure will reduce the backlog of unanalyzed samples by providing the funding necessary to analyze them and put them ''on-line.'' It provides $45 million over three years to erase the backlog of the 700,000 unanalyzed samples and the almost-as-pressing backlog of approximately 220,000 more samples that need to be reanalyzed using state-of-the-art methods.

Indeed, easing this backlog was the lead recommendation of the National Commission on the Future of DNA Evidence appointed by the Attorney General. As the Commission explained, ''the power of the CODIS program lies in the sheer numbers of convicted offender samples that are processed and entered into the database.''

Second, for some inexplicable reason, we do not collect samples from Federal and D.C. offenders. So while the database can identify a suspect whose DNA is on file in one of the 50 states, it generally won't catch a Federal or D.C. offender. Under current law, that suspect will not be identified; his crime may not be solved; and he could get off scot-free. We thought we already closed this loophole through 1996 legislation which provides that the FBI ''may expand

[the database] to include Federal crimes and crimes committed in the District of Columbia,'' but Federal officials claim more express authority is necessary. We are not so sure they're right, but there is no need to wait any longer.

Our measure closes once and for all this loophole that allows DNA samples from Federal (including military) and Washington, D.C. offenders to go uncollected. Under our proposal, DNA samples would be obtained from any Federal offender—or any D.C. offender under Federal custody or supervision—convicted of a violent crime or other qualifying offense. And it would require the collection of samples from juveniles found delinquent under Federal law for conduct that would constitute a violent crime if committed by an adult. Our proposal was prepared with the assistance of the FBI, the Administrative Office of the U.S. Courts, the Bureau of Prisons, the U.S. Parole Commission, agencies within the District of Columbia responsible for supervision of released felons, and the Department of Defense.

Modern crime-fighting technology like DNA testing and DNA databases make law enforcement much more effective. But in order to take full advantage of these valuable resources, we need this measure to make the database as comprehensive—and as productive—as possible. Violent criminals should not be able to evade arrest simply because a state didn't analyze its DNA samples or because an inexcusable loophole leaves Federal and D.C. offenders out of the DNA database. This measure will ensure that we apprehend violent repeat offenders, regardless of whether they originally violated state, Federal or D.C. law. And, by collecting more DNA evidence and utilizing the best of DNA technology, we also can help exonerate individual suspects whose DNA does not match with particular crime scenes.

Mr. President, this measure will help police use modern technology to solve crimes and prevent repeat offenders from committing new ones. Let me credit Senators DEWINE, HATCH, LEAHY and Congressman MCCOLLUM for their hard work which is finally paying off.

Mr. GRASSLEY. I ask unanimous consent the bill be considered read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 4640), as amended, was read the third time and passed.

ICCVAM AUTHORIZATION ACT OF 2000

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H.R. 4281, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4281) to establish, wherever feasible, guidelines, recommendations, and regulations that promote the regulatory acceptance of new or revised scientifically valid toxicological tests that protect human and animal health and the environment while reducing, refining, or replacing animal tests and ensuring human safety and product effectiveness.

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

Mr. DEWINE. Mr. President, I rise today to support passage of H.R. 4281, the ''ICCVAM Authorization Act of 2000.'' This bill would make permanent the Interagency Coordinating Committee on the Validation of Alternative Methods, otherwise known as ''ICCVAM.'' Doing so would give companies and federal agencies a sense of certainty and would encourage them to make the long-term research investments necessary to develop new, revised, and alternative toxicology test methods for ICCVAM to review. This would decrease and ultimately could lead to the end of animal use in testing shampoos, pesticides, and other products, while ensuring that human safety and product effectiveness remain protected.

ICCVAM was created pursuant to the 1993 National Institutes of Health Revitalization Act's mandate that the National Institute of Environmental Health Sciences (NIEHS) recommend new processes for federal agencies' acceptance of new, revised, or alternative toxicology test methods. ICCVAM is composed of representatives of various federal agencies that use or regulate the use of animals in toxicity testing.

ICCVAM evaluates and recommends improved test methods and makes it possible for more uniform testing to be adopted across federal agencies. Ultimately, ICCVAM streamlines the test method validation and approval process by evaluating methods of interest to multiple agencies, thus reducing the need for companies to perform multiple animal tests to meet the requirements of different federal agencies. This bill and ICCVAM do not apply to regulations related to medical research.

Recent advances in analytical chemistry and computer modeling have created new opportunities for the development of more accurate, faster, and less expensive test methods—methods that use fewer animals or bypass the need to use any animals in toxicity testing. This is a ''win-win'' situation for the public, industry, animal protection groups, and agencies.

This is a truly bipartisan and cooperative effort among industry, animal protection groups, and various federal agencies. It simply makes sense to make permanent a process that is currently working so well. This bill is supported by the Doris Day Animal League, Procter & Gamble, the Colgate-Palmolive Company, the Humane Society, the American Humane Association, the Massachusetts Society for the Prevention of Cruelty to Animals, the Gillette Company, the Chemical Specialties Manufacturers Association, the American Chemistry Council, the Soap and Detergent Association, the Synthetic Organic Chemical Manufacturers Association, and the American Crop Protection Association.

I thank Senators KENNEDY, MURRAY, SMITH of New Hampshire, ABRAHAM, SANTORUM, and BOXER for their support of ICCVAM and for their work in this bipartisan effort. I also thank Chairman JEFFORDS for his help in moving forward the Senate counterpart bill I introduced—S. 1495—upon which we based our bipartisan negotiations.

CHEMICAL TESTING PROGRAMS AND CREATING A SCIENTIFIC ADVISORY COMMITTEE

Mrs. BOXER. Mr. President, I appreciate the work of my colleague from Ohio, Mr. DEWINE on S. 1495, the ICCVAM Authorization Act of 2000, and was pleased to cosponsor that legislation. The measure will help ensure that we improve the review of chemical test methods employed by federal agencies with the ultimate goal of reducing the unnecessary use of animals in testing.

The bill we consider here today is the House-passed version, H.R. 4281, which is somewhat different than S. 1495. Would the Senator from Ohio be willing to clarify a few important points about this legislation for our colleagues?

Mr. DEWINE. Mr. President, I would be pleased to clarify aspects of this legislation for my colleagues.

Mr. BAUCUS. I am concerned that this legislation could be used to delay the EPA's chemical testing programs including the proposed Endocrine Disruptor Screening Program, the agency's children's health testing initiatives, and EPA's pesticide registration/re-registration process. Can my colleague from Ohio assure me that nothing in this bill is intended to prevent or slow the implementation of existing statutory mandates under the Food Quality Protection Act and the Safe Drinking Water Act for these important programs?

Mr. DEWINE. I can assure my colleague from Montana that nothing in this legislation is intended to prevent or slow the implementation of existing statutory mandates under the FQPA and SDWA.

In fact, the EPA is currently exercising its discretion to submit test methods to be used in the EDSP to the ICCVAM for assessment of validation. Nothing in this legislation challenges a Federal agency's authority to choose which screens and tests to send to ICCVAM for review, and an agency's decision whether to refer a test to ICCVAM and whether to follow ICCVAM recommendations is within the agency's discretion.

Furthermore, the bill will not have an impact on existing animal tests in existing federal regulatory programs. Its goal is to facilitate the appropriate validation of new, revised and alternative test methods for future use. using the ICCVAM to assess validation of these test methods can streamline