

By Mr. BURNS (for himself, Mr. BAUCUS, Mr. DASCHLE, Mrs. LINCOLN, and Mr. DORGAN):

S. 500. A bill to amend the Communications Act of 1934 in order to require the Federal Communications Commission to fulfill the sufficient universal service support requirements for high cost areas, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. GRAHAM (for himself, Mr. JEFFORDS, Mr. ROCKEFELLER, Ms. SNOWE, Mr. WELLSTONE, Mr. BREAUX, Mr. LIEBERMAN, Mrs. MURRAY, Mrs. LINCOLN, Mr. DODD, Mr. JOHNSON, Mr. CLELAND, Mr. SCHUMER, Mr. KERRY, Mrs. CLINTON, Ms. LANDRIEU, and Mr. TORRICELLI):

S. 501. A bill to amend titles IV and XX of the Social Security Act to restore funding for the Social Services Block Grant, to restore the ability of States to transfer up to 10 percent of TANF funds to carry out activities under such block grant, and to require an annual report on such activities by the Secretary of Health and Human Services; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. McCONNELL:

S. Res. 50. A resolution authorizing expenditures by the committees of the Senate for the periods March 1, 2001, through September 30, 2001, October 1, 2001, through September 30, 2002, and October 1, 2002, through February 28, 2003; to the Committee on Rules and Administration.

By Mr. THOMPSON:

S. Res. 51. An original resolution authorizing expenditures by the Committee on Governmental Affairs; from the Committee on Governmental Affairs; to the Committee on Rules and Administration.

By Mr. SPECTER:

S. Res. 52. An original resolution authorizing expenditures by the Committee on Veterans' Affairs; from the Committee on Veterans' Affairs; to the Committee on Rules and Administration.

By Mr. HATCH:

S. Res. 53. An original resolution authorizing expenditures by the Committee on the Judiciary; from the Committee on the Judiciary; to the Committee on Rules and Administration.

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 54. A resolution authorizing expenditures by the committees of the Senate for the periods March 1, 2001, through September 30, 2001, October 1, 2001, through September 30, 2002, and October 1, 2002, through February 28, 2003; considered and agreed to.

By Mr. WELLSTONE:

S. Res. 55. A resolution designating the third week of April as "National Shaken Baby Syndrome Awareness Week" for the year 2001 and all future years; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 27

At the request of Mr. FEINGOLD, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 27, a bill to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign reform.

S. 41

At the request of Mr. HATCH, the name of the Senator from Arkansas

(Mr. HUTCHINSON) was added as a cosponsor of S. 41, a bill to amend the Internal Revenue Code of 1986 to permanently extend the research credit and to increase the rates of the alternative incremental credit.

S. 104

At the request of Ms. SNOWE, the names of the Senator from Rhode Island (Mr. REED) and the Senator from South Dakota (Mr. DASCHLE) were added as cosponsors of S. 104, a bill to require equitable coverage of prescription contraceptive drugs and devices, and contraceptive services under health plans.

S. 152

At the request of Mr. GRASSLEY, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 152, a bill to amend the Internal Revenue Code of 1986 to eliminate the 60-month limit and increase the income limitation on the student loan interest deduction.

S. 161

At the request of Mr. WELLSTONE, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 161, a bill to establish the Violence Against Women Office within the Department of Justice.

S. 170

At the request of Mr. REID, the names of the Senator from Virginia (Mr. WARNER) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of S. 170, a bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay by reason of their years of military service and disability compensation from the Department of Veterans Affairs for their disability.

S. 172

At the request of Mr. SMITH of Oregon, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 172, a bill to benefit electricity consumers by promoting the reliability of the bulk-power system.

S. 177

At the request of Mr. AKAKA, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 177, a bill to amend the provisions of title 19, United States Code, relating to the manner in which pay policies and schedules and fringe benefit programs for postmasters are established.

S. 198

At the request of Mr. CRAIG, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 198, a bill to require the Secretary of the Interior to establish a program to provide assistance through States to eligible weed management entities to control or eradicate harmful, non-native weeds on public and private land.

S. 225

At the request of Mr. WARNER, the name of the Senator from Maryland

(Ms. MIKULSKI) was added as a cosponsor of S. 225, a bill to amend the Internal Revenue Code of 1986 to provide incentives to public elementary and secondary school teachers by providing a tax credit for teaching expenses, professional development expenses, and student education loans.

S. 236

At the request of Mr. HUTCHINSON, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 236, a bill to amend the Internal Revenue Code of 1986 to expand the expense treatment for small businesses and to reduce the depreciation recovery period for restaurant buildings and franchise operations, and for other purposes.

S. 271

At the request of Mrs. FEINSTEIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 271, a bill to amend title 5, United States Code, to provide that the mandatory separation age for Federal firefighters be made the same as the age that applies with respect to Federal law enforcement officers.

S. 289

At the request of Mr. SESSIONS, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Georgia (Mr. MILLER) were added as cosponsors of S. 289, a bill to amend the Internal Revenue Code of 1986 to provide additional tax incentives for education.

S. 319

At the request of Mr. MCCAIN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 319, a bill to amend title 49, United States Code, to ensure that air carriers meet their obligations under the Airline Customer Service Agreement, and provide improved passenger service in order to meet public convenience and necessity.

S. 321

At the request of Mr. GRASSLEY, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 321, a bill to amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the medicaid program for such children, and for other purposes.

S. 332

At the request of Mr. DEWINE, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 332, a bill to provide for a study of anesthesia services furnished under the medicare program, and to expand arrangements under which certified registered nurse anesthetists may furnish such services.

S. 338

At the request of Mr. REID, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 338, a bill to protect amateur athletics and combat illegal sports gambling.

S. 350

At the request of Mr. CHAFEE, the names of the Senator from Alabama

(Mr. SESSIONS) and the Senator from North Carolina (Mr. EDWARDS) were added as cosponsors of S. 350, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs, and for other purposes.

S. 409

At the request of Mrs. HUTCHISON, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 409, a bill to amend title 38, United States Code, to clarify the standards for compensation for Persian Gulf veterans suffering from certain undiagnosed illnesses, and for other purposes.

S. 414

At the request of Mr. CLELAND, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 414, a bill to amend the National Telecommunications and Information Administration Organization Act to establish a digital network technology program, and for other purposes.

S. CON. RES. 11

At the request of Mrs. FEINSTEIN, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Connecticut (Mr. DODD), the Senator from Minnesota (Mr. WELLSTONE), the Senator from Kansas (Mr. BROWNBACK), and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. CON. RES. 11, a concurrent resolution expressing the sense of Congress to fully use the powers of the Federal Government to enhance the science base required to more fully develop the field of health promotion and disease prevention, and to explore how strategies can be developed to integrate lifestyle improvement programs into national policy, our health care system, schools, workplaces, families and communities.

S. CON. RES. 15

At the request of Mr. BROWNBACK, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. CON. RES. 15, a concurrent resolution to designate a National Day of Reconciliation.

S. RES. 19

At the request of Mr. SPECTER, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. RES. 19, a resolution to express the sense of the Senate that the Federal investment in biomedical research should be increased by \$3,400,000,000 in fiscal year 2002.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GREGG:

S. 489. A bill to amend the Family and Medical Leave Act of 1993 to clarify the Act, and for other purposes; to

the Committee on Health, Education, Labor, and Pensions.

Mr. GREGG. Mr. President, the Family and Medical Leave Act was intended to be used by families for critical periods such as after the birth or adoption of a child and leave to care for a child, spouse, or one's own "serious medical condition."

Since its passage, the Family and Medical Leave Act has had a significant impact on employers' leave practices and policies. According to the Commission on Family and Medical Leave two-thirds of covered work sites have changed some aspect of their policies in order to comply with the Act.

Unfortunately, the Department of Labor's implementation of certain provisions of the Act has resulted in significant unintended administrative burden and costs on employers; resentment by co-workers when the act is misapplied; invasions of privacy by requiring employers to ask deeply personal questions about employees and family members planning to take FMLA leave; disruptions to the workplace due to increased unscheduled and unplanned absences; unnecessary record keeping; unworkable notice requirements; and conflicts with existing policies. Despite these problems, which have been well documented in five separate congressional hearings, including one I chaired and a House hearing where I testified, the previous administration choose to ignore those problems and instead pushed for a back door expansion of the Act through a rule known as Baby U.I., the Birth and Adoption Unemployment Compensation Rule. The Baby U.I. rule allows states to raid their unemployment compensation trust funds for an unrelated program, paid family leave. As a former Governor, I am very concerned about the impact of the rule on state unemployment trust funds, which should be preserved for tough economic times.

The Department of Labor's vague and confusing implementing regulations and interpretations have resulted in the FMLA being misapplied, misunderstood and mistakenly ignored. Employers aren't sure if situations like pink eye, ingrown toenails and even the common cold will be considered by the regulators and the courts to be serious health conditions. Because of these concerns and well-documented problems with the Act, I am today introducing the Family and Medical Leave Clarification Act to make reasonable and much needed technical corrections to the Family and Medical Leave Act and restore it to its original congressional intent.

The need for FMLA technical corrections has been confirmed and strengthened by five congressional hearings and by the recent release of key surveys. Conclusive evidence of the need for corrections has now been established. The Congressional hearings demonstrated that the FMLA's definition of serious health condition is vague and overly

broad due to DOL's interpretations. Additionally, the hearings documented that the intermittent leave provisions, notification and certification problems are causing many serious workplace problems. In addition, some companies testified that Congress should consider allowing employers to permit employees to take either a paid leave package under an existing collective bargaining agreement or the 12 weeks of FMLA protected leave, whichever is greater.

I am concerned that a recent decrease in paid leave for employees has been attributed to the Administration's problematic FMLA interpretations. Some research shows a decline in voluntarily provided paid sick leave and vacation leave by the private sector. The 2000 SHRM, Society for Human Resource Management, Benefits Survey found that paid vacation was provided by 87 percent of companies in the year 2000 while the year before it was 94 percent. Paid sick leave was at 85 percent last year and 74 percent this year.

A recent survey conducted by former President Clinton's Department of Labor confirmed FMLA implementation problems. The Labor Department report found that the share of covered establishments reporting that it was somewhat or very easy to comply with the FMLA has declined 21.5 percent from 1995 to 2000.

The recent release of the SHRM, Society for Human Resource Management, 2000 FMLA Survey strongly reinforces the need for FMLA technical corrections. Respondents to the SHRM survey stated that, on average, 60 percent of employees who take FMLA leave do not schedule the leave in advance. Consequently, managers often do not have the ability to plan for work disruptions. Respondents also reported that, in most cases, the burden of the workload from the employee on leave falls to employees who are not on leave. When asked whether they have had to grant FMLA requests they felt were not legitimate, more than half, 52 percent, said they had. Additionally, more than one-third, 34 percent, of respondents said they were aware of employee complaints over the past year regarding a co-worker's questionable use of FMLA leave. The issue of intermittent leave also continues to be extremely difficult. Three-quarters, 76 percent, of respondents said they would find compliance easier if the Department of Labor allowed FMLA leave to be offered and tracked in half-day increments rather than by minutes.

I am very concerned that both the SHRM and the Labor Department surveys show that FMLA implementation is becoming more difficult, not easier seven years after it has been in place. I am hopeful that the Family and Medical Leave Clarification Act will advance in the 107th Congress on a bipartisan basis to address this problem.

The FMLA Clarification Act has the strong support of the Society for Human Resource Management, the