S. 326, a bill to amend title XVIII of the Social Security Act to eliminate the 15 percent reduction in payment rates under the prospective payment system for home health services and to permanently increase payments for such services that are furnished in rural areas.

S. 349

At the request of Mr. HUTCHINSON, the names of the Senator from Minnesota (Mr. WELLSTONE) and the Senator from South Dakota (Mr. DASCHLE) were added as cosponsors of S. 349, a bill to provide funds to the National Center for Rural Law Enforcement, and for other purposes.

S. 365

At the request of Mr. THOMAS, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 365, a bill to provide recreational snowmobile access to certain units of the National Park System, and for other purposes.

S. 367

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 367, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 403

At the request of Mr. COCHRAN, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from Rhode Island (Mr. REED) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 403, a bill to improve the National Writing Project.

S. 414

At the request of Mr. CLELAND, the name of the Senator from South Dakota (Mr. JOHNSON) 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. 415

At the request of Mr. HOLLINGS, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 415, a bill to amend title 49, United States Code, to require that air carriers meet public convenience and necessity requirements by ensuring competitive access by commercial air carriers to major cities, and for other purposes.

S. 452

At the request of Mr. MURKOWSKI, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 452, a bill to amend title XVIII of the Social Security Act to ensure that the Secretary of Health and Human Services provides appropriate guidance to physicians, providers of services, and ambulance providers that are attempting to properly submit claims under the medicare program to ensure that the Secretary does not target inadvertent billing errors.

S. 488

At the request of Mr. ALLEN, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 488, a bill to amend the Internal Revenue Code of 1986 to provide for a refundable education opportunity tax credit.

S. CON. RES. 7

At the request of Mr. KERRY, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress that the United States should establish an international education policy to enhance national security and significantly further United States foreign policy and global competitiveness.

S. CON. RES. 8

At the request of Ms. SNOWE, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from New Jersey (Mr. CORZINE) were added as cosponsors of S. Con. Res. 8, a concurrent resolution expressing the sense of Congress regarding subsidized Canadian lumber exports.

S. CON. RES. 14

At the request of Mr. CAMPBELL, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. Con. Res. 14, a concurrent resolution recognizing the social problem of child abuse and neglect, and supporting efforts to enhance public awareness of it.

S. RES. 25

At the request of Mr. CRAIG, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from Alabama (Mr. SHELBY) and the Senator from Minnesota (Mr. DAYTON) were added as cosponsors of S. Res. 25, a resolution designating the week beginning March 18, 2001 as ''National Safe Place Week''.

AMENDMENT NO. 40

At the request of Mrs. CARNAHAN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of Amendment No. 40 proposed to S. 420, an original bill to amend title II, United States Code, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. BOXER:

S. 518. A bill to amend the Public Health Service Act to provide for the training of health professions students with respect to the identification and referral of victims of domestic violence; to the Committee on Health, Education, Labor, and Pensions.

Mrs. BOXER. Mr. President, domestic violence is a national crisis that shatters the lives of millions of women across this country and tears at the fabric of this society. Despite increased efforts prompted by legislation such as the Violence Against Women Act, domestic violence continues to be the leading cause of injury to women across the country between the ages of 15 to 44. Furthermore, many of our health professionals today—those who are often the first in a position to recognize domestic violence, still do not have the proper training to assist these very vulnerable victims.

Wonderful partnerships currently exist between many hospitals and graduate medical institutions and these partnerships should be encouraged in order to more effectively serve victims of domestic violence and prevent future violent attacks.

For these reasons, I am reintroducing my bill, the Domestic Violence Identification and Referral Act, which would help ensure that medical professionals have the training they need to recognize and treat domestic violence, including spouse abuse, child abuse, and elder abuse. The bill would amend the Public Health Service Act to require the Secretary of Health and Human Services to give preference in awarding grants to institutions that train health professionals in identifying, treating, and referring patients who are victims of domestic violence to appropriate services.

I encourage my colleagues to support this worthwhile legislation that would help in our continued fight to prevent domestic violence across this nation.

By Mr. FRIST:

S. 519. A bill to amend the Internal Revenue Code of 1986 to provide that trusts established for the benefit of individuals with disabilities shall be taxed at the same rate as individual taxpayers, to the Committee on Finance.

Mr. FRIST. Mr. President, today I introduce a bill to address a tax inequity that has existed for some time and was made worse by the large tax increases of 1993. The ''Tax Fairness for Support of the Permanently Disabled Act'' would change the tax rates for the taxable income of a trust fund established solely for the benefit of a person who is permanently and totally disabled. Instead of being taxed at the highest tax rate 39.6 percent for amounts over $7500, the income of this fund would be taxed at the tax rates that would normally apply to regular income of the same amount. In essence, trust fund income would be treated as personal income for a permanently disabled person.

Mr. Nicholas Verbin of Nashville, TN personally called my office about this problem he had encountered. The problem was that he had established an irrevocable trust for his son Nicky, who is completely disabled, unable to work, and totally dependent on his dad to provide for him. Mr. Verbin has spent his whole life building up this trust fund so that his son can live off this lifetime of hard work after Mr. Verbin is gone. Mr. Verbin does not want his son to have to go on welfare or become a ward of the state. Instead, he has

built up this fund so that his son can be self-sufficient after he dies. Apparently, the federal government would rather have Nicky on its welfare roles than have him take care of himself.

Instead of taxing the interest that Nicky's trust accumulates every year as simple income, which it is since Nicky has no other form of income, the IRS taxes the interest at the highest rate allowable, 39.6 percent. Instead of helping this sum grow into a sort of pension fund for Nicky, the IRS has milked it for all its worth. If Nicky's trust earns more than $7500 in interest in a year, the federal government takes $2,125 plus 39.5 percent of the amount above $7500. Meanwhile, even Bill Gates does not pay 39.6 percent on the first $275,000 of his income. We are taxing disabled children at a rate that we don't even tax multimillionaires!

I believe that we should not punish Mr. Verbin for his foresight, nor should we punish Nicky for his disability. While a case could be made that Congress should eliminate the tax on this type of trust altogether, I have simply proposed that the interest income be treated like normal income for those disabled boys and girls, men and women who cannot work for themselves and depend on this interest as their only source of income.

I ask my colleagues to support this bill. 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. 519

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 ''Tax Fairness for Support of the Permanently Disabled Act''.

SEC. 2. MODIFICATION OF TAX RATES FOR TRUSTS FOR INDIVIDUALS WHO ARE DISABLED.

(a) IN GENERAL.—Section 1(e) of the Internal Revenue Code of 1986 (relating to tax imposed on estates and trusts) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively,

(2) by striking ''There'' and inserting:

''(1) IN GENERAL.—Except as provided in paragraph (2), there'', and

(3) by adding at the end the following new paragraph:

''(2) SPECIAL RULE FOR TRUSTS FOR DISABLED INDIVIDUALS.—

''(A) IN GENERAL.—There is hereby imposed on the taxable income of an eligible trust taxable under this subsection a tax determined in the same manner as under subsection (c).

''(B) ELIGIBLE TRUST.—For purposes of subparagraph (A), a trust shall be treated as an eligible trust for any taxable year if, at all times during such year during which the trust is in existence, the exclusive purpose of the trust is to provide reasonable amounts for the support and maintenance of 1 or more beneficiaries each of whom is permanently and totally disabled (within the meaning of section 22(e)(3)). A trust shall not fail to meet the requirements of this subparagraph merely because the corpus of the trust may revert to the grantor or a member of the grantor's family upon the death of the beneficiary.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

By Mr. DEWINE (for himself, Mr. KOHL, Mr. GRASSLEY, and Mr. REID):

S. 520. A bill to amend the Clayton Act, and for other purposes; to the Committee on the Judiciary.

Mr. DEWINE. Mr. President, I rise today to introduce a bill, along with my friend and colleagues Mr. KOHL, Mr. GRASSLEY, and Mr. REID of Nevada, called the ''High-Density Airport Competition Act of 2001.'' We are introducing this legislation in an effort to increase and maintain competition in the domestic aviation industry. If the traveling public is to have access to affordable, quality air service, real competition is essential.

The need for this legislation stems from our belief that the recent surge in proposed mergers among our nation's major airlines is a threat to competition. Let me explain. Less than a year ago, United Airlines and US Airways announced their plans to merge, creating an airline that would be nearly 50 percent larger than its next closest competitor and a network significantly more extensive than other carriers. Most industry observers believed at that time that if the United/US Airways merger were allowed to go forward, those airlines would gain a dominant position at several key airports throughout the country, including airports such as New York LaGuardia and Reagan National airport here in Washington.

At the time the merger was announced, I expressed my concern that this merger would provoke further airline consolidation and potentially could leave the country with as few as three large domestic carriers. I continue to be concerned about additional mergers, and for good reason.

In early January of this year, American Airlines announced that it was joining in the United/US Airways deal by acquiring certain assets from US Airways and also by entering into agreements with United, including an agreement to jointly operate the lucrative Washington/New York/Boston shuttle. So, if the deal is successful, instead of having one dominant carrier, our country would face the prospect of having two airlines that are significantly larger than their competitors.

Quite frankly, American Airlines saw the writing on the wall. Its leaders understood how difficult it would be to compete effectively in an industry where one airline was so much larger and so dominant in certain key business markets. As a result, American decided that, in order to survive, it had to join the deal and grow much bigger, as well.

If these deals are allowed to go forward, I am certain we will see even more consolidations. As policy-makers, we are faced with a daunting question: Will the airline industry remain sufficiently competitive in the wake of the proposed United and American deals? We have concluded that unless action is taken, competition very likely will be harmed.

But we cannot just sit idly by and let competition in this critical industry waste away. It is vital that other airlines have the opportunity to compete, and a big part of that is having access to airports that are essential in a network business, such as the aviation industry. Two of these key airports, Reagan National and LaGuardia, are subject to government slot controls, which limit the number of take-off and landing slots during a day. If the United and American deals are permitted, those two airlines will control roughly 65 percent of the slots at Reagan National and New York LaGuardia. These are key resources that other airlines need reasonable access to if competition is to be maintained.

Simply put, competition is not served if we allow two airlines to dominate these airports. More important, consumer interests are not served if any airline is permitted to gain such a position through mergers. That's why my colleagues and I are introducing the ''High-Density Airport Competition Act.'' This bill represents one way to maintain a competitive environment in the airline industry.

Specifically, our bill would limit the percentage of slots that large national carriers can control at Reagan National and New York LaGuardia airports. The legislation would ensure that no single airline gains an anti-competitive advantage at these slot controlled airports. It would do so by prohibiting any large airline from controlling more than 20 percent of the slots over any 2-hour period. If such an airline did have more than 20 percent of the slots, that airline would be required within 60 days to either return the slots to the Department of Transportation or sell the slots in a blind auction. This procedure would preserve competition by giving all airlines equal opportunity to bid for the slots and gain access to these airports.

Again, our overriding concern is the welfare of the traveling public. We have seen, first-hand, the frustration of many travelers about service, delays, and high air fares. The answer to those and other challenges is not more consolidation. The answer is effective competition. We are concerned the airline industry is moving in the wrong direction, toward a consolidated industry, away from a truly competitive, consumer-friendly environment. That's not good for the industry. And, that's certainly not good for consumers. That is why I hope my colleagues will join us in support of our legislation. We need to move back to real competition in our domestic aviation industry, an industry that we all recognize plays a vital role in our Nation and our economy.

Mr. KOHL. Mr. President, I rise today, with my colleagues Senators DEWINE, GRASSLEY, and REID, to introduce the ''High Density Airport Competition Act of 2001.'' This legislation is a small but important step to promote airline competition during this time of massive consolidation in the airline industry. This legislation will prevent any large national carrier from gaining a dominant share of takeoff and landing slots at either Washington Reagan National or New York LaGuardia airports.

During the last year, we have all witnessed a tremendous consolidation in the airline industry. First, last May, United announced its planned deal to acquire US Airways. More recently, in January, airline consolidation took another great leap forward as American announced its plan to acquire TWA, and also its deal with United to acquire 20 percent of the US Airways assets. If all of these combinations and acquisitions are approved, the result will be that American and United will become the nation's dominant airlines, controlling about half of the national market. And many believe we are not done yet, with press reports that Delta is soon expected to announce an acquisition of its own. That would mean three large national airlines would dominate 75 percent of the market.

The problem of airline consolidation is especially acute at the two of the nation's four slot-controlled airports, Washington Reagan National and New York LaGuardia. At these two vital airports, if all these mergers go through as planned, American, United and their affiliated and partner carriers will together control nearly two-thirds of the slots, leaving little room for competitors.

Gaining access to slots at these airports is essential for smaller and start-up airlines if they are to compete with the giant mega-carriers, especially after these mergers are completed. Without slots, airlines cannot take off or land at these two airports. And access to these key airports in New York and Washington, D.C. is essential for smaller airlines to build national networks to compete with the large carriers. Without that access for smaller airlines, large airlines will dominate the nation, grow larger and larger, and bar effective and robust competition. To show the importance of just one of these airports to the nation's entire air transportation system, the FAA recently reported that more than one quarter of the nation's entire congestion related flight delays resulted from delays at LaGuardia airport alone.

Our legislation is a simple and effective measure to prevent large airlines from gaining a stranglehold on the slots at these two airports. It provides that, for any airline with at least a 15 percent share of the national market, that airline, and its affiliates, cannot control more than 20 percent of the slots at either Washington Reagan National or New York LaGuardia in any two hour period. If an airline exceeds these limits, it must take one of two steps, either return the excess slots to the FAA or sell them in a blind auction to its competitors. This blind auction provision will prevent airlines from disposing of their excess slots by engaging in ''sweetheart'' deals.

Our legislation does not reach the other two-slot controlled airports, Chicago O'Hare or New York JFK. Slot controls are scheduled to be lifted at Chicago O'Hare in June of next year, and are in place at New York JFK only from 3 to 8 p.m.

In sum, our legislation is a carefully crafted and narrowly tailored provision which will break the dominance that the large national carriers will have at two vital slot-controlled airports, particularly if the currently pending mergers are completed as planned. It will enable smaller and new carriers to have a fair shot at gaining access to these airports, and thus help bring real competition both to consumers who travel to and from New York and Washington and to the nation's skies as a whole. I urge my colleagues to support this bill.

By Mr. SANTORUM:

S. 521. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for expenses incurred in teleworking; to the Committee on Finance.

Mr. SANTORUM. Mr. President, today, I rise to introduce legislation that would help people who ''telework'' or work from home, to receive a tax credit. Teleworkers are people who work a few days a week on-line from home by using computers and other information technology tools. Nearly 20 million Americans telework today, and according to experts, 40 percent of the nation's jobs are compatible with telework. At one national telecommunications company, nearly 25 percent of its workforce works from home at least one day a week. The company found positive results in the way of fewer days of sick leave, better retention, and higher productivity.

I am introducing the Telework Tax Incentive Act, along with Representative FRANK WOLF in the House of Representatives, to provide a $500 tax credit for telework. The legislation provides an incentive to encourage more employers to consider telework for their employees. Telework should be a regular part of the 21st century workplace. The best part of telework is that it improves the quality of life for all. Telework also reduces traffic congestion and air pollution. It reduces gas consumption and our dependency on foreign oil. Telework is good for families—working parents have flexibility to meet everyday demands. Telework provides people with disabilities greater job opportunities. Telework helps fill our nation's labor market shortage. It can also be a good option for retirees choosing to work part-time.

A task force on telework initiated by Governor James Gilmore of Virginia made a number of recommendations to increase and promote telework. One recommendation was to establish a tax credit toward the purchase and installation of electronic and computer equipment that allow an employee to telework. For example, the cost of a computer, fax machine, modem, phone, printer, software, copier, and other expenses necessary to enable telework could count toward a tax credit, provided the person worked at home a minimum number of days per year.

My legislation would provide a $500 tax credit ''for expenses paid or incurred under a teleworking arrangement for furnishings and electronic information equipment which are used to enable an individual to telework.'' An employee must telework a minimum of 75 days per year to qualify for the tax credit. Both the employer and employee are eligible for the tax credit, but the tax credit goes to whomever absorbs the expense for setting up the at-home worksite.

A number of groups have previously endorsed the Telework Tax Incentive Act including the International Telework Association and Council, ITAC, Covad Communications, National Town Builders Association, Litton Industries, Orbital Sciences Corporation, Consumer Electronic Association, Capnet, BTG Corporation, Electonic Industries Alliance, Telecommunications Industry Association, American Automobile Association Mid-Atlantic, Dimensions International Inc., Capunet, TManage, Science Applications International Corporation, AT&T, Northern Virginia Technology Council, Computer Associates Incorporated, and Dyn Corp.

On October 9, 1999, legislation which I introduced in coordination with Representative FRANK WOLF from Virginia was signed into law by the President as part of the annual Department of Transportation appropriations bill for Fiscal Year 2000. S. 1521, the National Telecommuting and Air Quality Act, created a pilot program to study the feasibility of providing incentives for companies to allow their employees to telework in five major metropolitan areas including Philadelphia, Washington, D.C., and Los Angeles. Houston and Denver have been added as well. I am pleased that the Philadelphia Area Design Team has been progressing well with its responsibility of examining the application of these incentives to the greater Philadelphia metropolitan area. I am excited that this opportunity continues to help to get the word out about the benefits of telecommuting for many employees and employers.

On July 14, 2000 the President signed legislation which included an additional $2 million to continue efforts in the 5 pilot cities, including Philadelphia, to market, implement, and evaluate strategies for awarding telecommuting, emissions reduction, and pollution credits established through the National Telecommuting and Air Quality Act.

Telecommuting improves air quality by reducing pollutants, provides employees and families flexibility, reduces traffic congestion, and increases productivity and retention rates for businesses while reducing their overhead costs. It's a growing opportunity and option which we should all include in our effort to maintain and improve quality of life issues in Pennsylvania and around the nation. According to statistics available from 1996, the Greater Philadelphia area ranked number 10 in the country for annual person-hours of delay due to traffic congestion. Because of this reality, all options including telecommuting should be pursued to address this challenge.

The 1999 Telework America National Telework Survey, conducted by Joan H. Pratt Associates, found that today's 19.6 million teleworkers typically work 9 days per month at home with an average of 3 hours per week during normal business hours. In this study, teleworkers or telecommuters are defined overall as employees or independent contractors who work at least one day per month at home. These research findings impact the bottom line for employers and employees. Teleworkers seek a blend of job-related and personal benefits to enable them to better handle their work and life responsibilities. For employers, savings just from less absenteeism and increased employee retention may total more than $10,000 per teleworker per year. Thus an organization with 100 employees, 20 of whom telework, could potentially realize a savings of $200,000 annually, or more, when productivity gains are added.

Work is something you do, not someplace you go. There is nothing magical about strapping ourselves into a car and driving sometimes up to an hour and a half, arriving at a workplace and sitting before a computer, when we can access the same information from a computer in our homes. Wouldn't it be great if we could replace the evening rush hour commute with time spent with the family, or coaching little league or other important quality of life matters?

I urge my colleagues to consider cosponsoring this legislation which promotes telework and helps encourage additional employee choices for the workplace.

By Mr. KERRY (for himself, Mr. DASCHLE, Mr. CLELAND, and Mr. WELLSTONE):

S. 522. A bill to direct the Administrator of the Small Business Administration to conduct a pilot program to raise awareness about telecommuting among small business employers, and to encourage such employers to offer telecommuting options to employees; to the Committee on Small Business.

Mr. KERRY. Mr. President, today I am joined by my colleagues, Senator DASCHLE, Senator CLELAND, and Senator WELLSTONE, in introducing legislation, the Small Business Telecommuting Act, to assist our nation's small businesses in establishing successful telecommuting, or telework programs, for their employees. Congressman UDALL will be introducing companion legislation in the House of Representatives.

Across America, numerous employers are responding to the needs of their employees and establishing telecommuting programs. In 2000, there were an estimated 16.5 million teleworkers. By the end of 2004, there will be an estimated 30 million teleworkers, representing an increase of almost 100 percent. Unfortunately, the majority of growth in new teleworkers comes from organizations employing over 1,500 people, while just a few years ago, most teleworkers worked for small- to medium-sized organizations.

By not taking advantage of modern technology and establishing successful telecommuting programs, small businesses are losing out on a host of benefits that will save them money, and make them more competitive. The reported productivity improvement of home-based teleworkers averages 15 percent, translating to an average bottom-line impact of $9,712 per teleworker. Additionally, most experienced teleworkers are determined to continue teleworking, meaning a successful telework program can be an important tool in the recruitment and retention of qualified and skilled employees. By establishing successful telework programs, small business owners would be able to retain these valuable employees by allowing them to work from a remote location, such as their home or a telework center.

In addition to the cost savings realized by businesses that employ teleworkers, there are a number of related benefits to society and the employee. For example, telecommuters help reduce traffic and cut down on air pollution by staying off the roads during rush hour. Fully 80 percent of home-only teleworkers commute to work on days they are not teleworking. Their one-way commute distance averages 19.7 miles, versus 13.3 miles for non-teleworkers, meaning employees that take advantage of telecommuting programs are, more often than not, those with the longest commutes. Teleworking also gives employees more time to spend with their families and reduces stress levels by eliminating the pressure of a long commute.

Our legislation seeks to extend the benefits of successful telecommuting programs to more of our nation's small businesses. Specifically, it establishes a pilot program in the Small Business Administration, SBA, to raise awareness about telecommuting among small business employers and to encourage those small businesses to establish telecommuting programs for their employees.

Additionally, an important provision in our bill directs the SBA Administrator to undertake special efforts for businesses owned by, or employing, persons with disabilities and disabled America veterans. At the end of the day, telecommuting can provide more than just environmental benefits and improved quality of life. It can open the door to people who have been precluded from working in a traditional office setting due to physical disabilities.

Our legislation is also limited in cost and scope. It establishes the pilot program in a maximum of five SBA regions and caps the total cost to five million dollars over two years. It also restricts the SBA to activities specifically proscribed in the legislation: developing educational materials; conducting outreach to small business; and acquiring equipment for demonstration purposes. Finally, it requires the SBA to prepare and submit a report to Congress evaluating the pilot program.

Several hurdles to establishing successful telecommuting programs could be cleared by enacting our legislation. In fact, the number one reported obstacle to implementing a telecommuting program is a lack of know-how. Our bill will go a long way towards educating small business owners on how they can draft guidelines to make a telework program an affordable, manageable reality.

Mr. President, I ask unanimous consent that a copy of the Small Business Telecommuting Act be printed in the RECORD.

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

S. 522

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 ''Small Business Telecommuting Act''.

SEC. 2. FINDINGS.

The Congress finds that—

(1) telecommuting reduces the volume of peak commuter traffic, thereby reducing traffic congestion and air pollution;

(2) the Nation's communities can benefit from telecommuting, which gives workers more time to spend at home with their families;

(3) it is in the national interest to raise awareness within the small business community of telecommuting options for employees;

(4) the small business community can benefit from offering telecommuting options to employees because such options make it easier for small employers to retain valued employees and employees with irreplaceable institutional memory;

(5) companies with telecommuting programs have found that telecommuting can boost employee productivity 5 percent to 20 percent, thereby saving businesses valuable resources and time;

(6) 60 percent of the workforce is involved in information work (an increase of 43 percent since 1990), allowing and encouraging decentralization of paid work to occur; and

(7) individuals with disabilities, including disabled American veterans, who own or are employed by small businesses could benefit from telecommuting to their workplaces.

SEC. 3. SMALL BUSINESS TELECOMMUTING PILOT PROGRAM.

(a) IN GENERAL.—In accordance with this Act, the Administrator shall conduct, in not more than 5 of the Small Business Administration's regions, a pilot program to raise awareness about telecommuting among small business employers and to encourage such employers to offer telecommuting options to employees.

(b) SPECIAL OUTREACH TO INDIVIDUALS WITH DISABILITIES.—In carrying out subsection (a), the Administrator shall make special efforts to do outreach to—

(1) businesses owned by or employing individuals with disabilities, and disabled American veterans in particular;

(2) Federal, State, and local agencies having knowledge and expertise in assisting individuals with disabilities or disabled American veterans; and

(3) any group or organization, the primary purpose of which is to aid individuals with disabilities or disabled American veterans.

(c) PERMISSIBLE ACTIVITIES.—In carrying out the pilot program, the Administrator may only—

(1) produce educational materials and conduct presentations designed to raise awareness in the small business community of the benefits and the ease of telecommuting;

(2) conduct outreach—

(A) to small business concerns that are considering offering telecommuting options; and

(B) as provided in subsection (b); and

(3) acquire telecommuting technologies and equipment to be used for demonstration purposes.

(d) SELECTION OF REGIONS.—In determining which regions will participate in the pilot program, the Administrator shall give priority consideration to regions in which Federal agencies and private-sector employers have demonstrated a strong regional commitment to telecommuting.

SEC. 4. REPORT TO CONGRESS.

Not later than 2 years after the first date on which funds are appropriated to carry out this Act, the Administrator shall transmit to the Committee on Small Business of the House of Representatives and the Committee on Small Business of the Senate a report containing the results of an evaluation of the pilot program and any recommendations as to whether the pilot program, with or without modification, should be extended to include the participation of all Small Business Administration regions.

SEC. 5. DEFINITIONS.

In this Act—

(1) the term ''Administrator'' means the Administrator of the Small Business Administration;

(2) the term ''disability'' has the same meaning as in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102);

(3) the term ''pilot program'' means the program established under section 3; and

(4) the term ''telecommuting'' means the use of telecommunications to perform work functions under circumstances which reduce or eliminate the need to commute.

SEC. 6. TERMINATION.

The pilot program shall terminate 2 years after the first date on which funds are appropriated to carry out this Act.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Small Business Administration $5,000,000 to carry out this Act.

By Mr. BOND:

S. 523. A bill entitled the ''Building Better Health Centers Act of 2001''; to the Committee on Health, Education, Labor, and Pensions.

Mr. BOND. Mr. President, I rise today to introduce an important piece of new legislation to help an essential part of our health care safety net, our nation's health centers, serve the uninsured and medically-underserved.

The Building Better Health Centers Act will promote health centers' mission of providing care to anyone who needs it by getting rid of an artificial distinction existing in current law. Right now, federal grant dollars to health centers can be used for most things a health center needs to do, including salaries, supplies, and basic upkeep. But federal grants to health centers cannot be used for one of the most critical and expensive needs a health center, or any business or nonprofit organization, will ever face—capital improvements.

Unless we correct this silly distinction, many of our health centers are destined to be shackled to slowly deteriorating facilities. Over time, this will sap their ability to provide care. If we are serious about maximizing health centers' ability to deal with our health care access needs, we must allow federal grant dollars to be used to meet our health centers' capital needs.

I've been down here on the Senate floor many times to talk about health centers, but let me cover the basics once again. Health centers, which include community health centers, migrant health centers, homeless health centers, and public housing health centers, address the health care access problem by providing primary care services in thousands of rural and urban medically-underserved communities throughout the United States.

And as we all know, the health care access problem remains a serious issue in our country. Many health care experts believe that Americans' lack of access to basic health services is our single most pressing health care problem. Nearly 50 million Americans do not have access to a primary care provider, whether they are insured or not. In addition, 43 million Americans lack health insurance and have difficulty accessing care due to the inability to pay.

Health centers help fill part of this void. More than 3,000 health center clinics nationwide provide basic health care services to nearly 12 million Americans, almost 8 million minorities, nearly 650,000 farmworkers, and almost 600,000 homeless individuals each year. The care they provide has been repeatedly shown by studies to be high-quality and cost-effective. In fact, health centers are one of the best health care bargains around, the average yearly cost for a health center patient is less than one dollar per day.

I believe that one of the most effective ways to address our health care access problem is by dramatically expanding access to health centers. And I am pleased to report a strong consensus is developing to do exactly that. Last year, the Senate voted in support of a proposal I have made with Sen. HOLLINGS to double access to health centers by doubling funding over a five-year period. In addition, President Bush has proposed that we double the number of people that health centers care for over the next five years.

But over the next few years, as we hopefully see additional resources flow to health centers, we will increasingly encounter problems that stem from an artificial distinction we see in current law. As I mentioned, federal health center grants are currently allowed to be used for most purposes—including salaries for health professionals and administrators, medical supplies, basic upkeep of clinic facilities, even lease payments if the health center rents. But they simply cannot be used for capital improvements.

This means that unless health centers can find some other way to finance their capital needs—and I will talk in a moment about the significant barriers they face in doing this—major projects that could provide substantial benefit to patients will never happen.

It means that an urban community health center that has been slowly expanding staff and services over many years until it's bursting at the seams of its modest two-story building will have to continue to find ways to cope, even if that prevents additionally-needed expansion or even if upkeep costs on the old building begin to spiral out-of-control.

It means that a rural community health center in an area desperately in need of dental services may not be able to expand the facility and purchase dental chairs, X-ray machines and other major dental equipment needed for the desired expansion into dental services.

It means that even if federal government is will to commit grant funds to open a new health center in one of the hundreds of underserved communities nationwide which lacks any health care professionals for miles around, the new center may never come to be due to lack of funding for a facility in which to house it.

This is more than theory, the evidence shows that many existing health centers operate in facilities that desperately need renovation or modernization. Approximately one of every three health centers reside in a building more than 30 years old, and one of every eight operate out of a facility more than half a century old.

Moreover, a recent survey of health centers in 11 states showed that more than two-thirds of health centers had a specifically-identified need to renovate, expand, or replace their current facility. The average cost of a needed capital project was $1.8 million, and the needs ranged from ''small'' projects of $400,000 to major $5 million efforts. The survey demonstrates that there may be as much as $1.2 billion in unmet capital needs in our nation's health centers.

And that is just for existing health centers. As I mentioned, hundreds of

medically-underserved areas lack—and could desperately use—the services of a health center. This further shows the need for new facilities, and more capital, as we expand access to new communities.

So what about other possible sources of capital? There are plenty of ways—in theory—that health centers might be able to get money for capital improvements. Business, large and small, do it all the time. So do other nonprofit organizations like universities and hospitals. They use built-up equity. They take out loans. They float bonds. They raise money through private donations as part of a capital campaign.

But unfortunately, health centers just aren't quite like most other businesses or nonprofits, and many times these options are unrealistic as a way to provide the entire cost of a major project.

Health centers simply don't have loads of cash in the bank. The revenue these clinics are able to cobble together from federal grants, low-income patients, Medicaid, private donations, and other health insurers is typically all put back into patient care.

Heath centers already work hard to maximize the money they can raise through private donations and non-federal grant sources. In fact, an average of 13 percent, one-seventh of their budget, of health care center revenue comes from these sources. Most of this private and public funding is used to meet operating expenses, and it is difficult to go back to the same sources to request further donations for capital needs. In fundraising, health centers also face a huge disadvantage compared to nonprofit organizations like universities and hospitals because health centers lack a natural middle- and upper-class donor base. And raising private funds is particularly hard in isolated rural areas that are often quite poor and which can have the most dire heath care access problems.

Finally, health centers have difficulties obtaining private loans for capital needs for a variety of reasons. The high number of uninsured patients health centers treat and the poor reimbursement rates received from most Medicaid programs mean health centers rarely have significant operating margins. Without these margins, banks are leery about loans because they don't feel assured that a health center will have sufficient cash flow to successfully manage loan payments. Banks are made even more nervous by the high proportion of health center revenue that comes from sometimes-unreliable government sources, such as the health centers' grant funding and Medicare and Medicaid reimbursements.

So what should we do? This isn't exactly rocket science. We have a need, many health centers require significant help to build or maintain adequate facilities because they can't raise the money or obtain the loans themselves. And we have an existing law that prevents the federal government from using health center funding to do exactly that.

We simply need to get rid of the artificial distinction we have right now and allow our health center grant dollars to go to further the health center mission in the best way possible, and that is going to mean at times that we should support some new construction or major renovation projects. If a crumbling building is constantly in need of repair, is soaking up money, and is reducing the number of patients a health center can reach out to, the federal government should help with the major renovation or the new construction needed.

The Building Better Health Centers Act authorizes the federal government to make grants to health centers for facility construction, modernization, replacement, and major equipment purchases. If our goal is to help health centers provide high-quality care to as many uninsured and medically-underserved people as possible, we need to get rid of barriers to doing that, including capital barriers.

Beyond just the possibility of grant funding, the bill goes further and permits the federal government to guarantee loans made by a bank or another private lender to a health center to construct, replace, modernize, or expand a health center facility. This loan guarantee is an additional tool that will help allay the fears of banks and other private lenders by limiting their exposure if a health center defaults on a loan. An additional advantage of loan guarantees is that you can stretch funds farther. When guaranteeing a $1 million loan, the federal government need only set aside a much smaller amount of appropriated money, perhaps only a twelfth to a tenth of the loan total, to insure against that loan's possible default. This multiplier factor means that for every dollar appropriated for this purpose, many dollars worth of loans can be guaranteed.

There is actually tremendous potential for these two new options, the facility grants and the facility loan guarantees, to work together. Sharing in up-front costs through grant funding, and helping further by guaranteeing a loan that covers the remainder of a project's cost may well be the best approach. This will balance the need to make sure specific projects get enough grant funding to make them realistic and the need to spread capital assistance among as many projects as possible.

Let me try to respond in advance to a few potential criticisms of this legislation. First, to those who simply think on principle that the government should stay out of private-sector bricks and mortar projects, I would say we're already at least halfway pregnant. In just about every appropriations bill, we have dozens if not hundreds of specific projects earmarked for major building or renovation projects.

Some might worry that the potential large costs of construction projects could get out of hand and squeeze out funding actually used for patient care. But let me point out that we limit capital assistance to five percent of all health center funding. Based on this year's funding level, this would mean up to $58.5 million for facility grants and loan guarantees. Because the loan guarantee program would allow some of this money to be stretched, this level of support could easily mean help for more than $200 million in health center projects. But the main point is that capital projects are absolutely limited to five-percent of health center funding, which prevents any possible runaway spending.

Finally, we should ask ourselves whether or not federal assistance is going to give a free pass to communities, which really should be expected to help out with public-minded projects like the construction or renovation of a health center. In my bill, local communities are expected to help. No more than 75 percent of the total costs of a major project can come from federal sources—and this is the absolute upper limit. Much more likely are evenly-shared costs or situations in which federal support represents a minority of the capital investment. This bill does not give local areas a free ride.

The quick rationale for this bill is simple. Many health centers are hampered in their efforts to provide health care to the medically-underserved by inadequate facilities. It doesn't make sense to help these vital community clinics only with day-to-day expenses if their building is literally crumbling around them.

I urge my colleagues to join me in supporting this legislation. This year, we are scheduled to reauthorize the Consolidated Health Centers program, along with other vital health care safety net programs like the National Health services Corps. I hope to include this bill—the Building Better Health Centers Act—in this larger safety net reauthorization legislation. I look forward to working with my colleagues in the Senate and on the Health, Education, Labor, and Pensions Committee to aggressively help our nation's health centers meet their dire capital needs by making this bill law.

By Mr. GRAHAM (for himself, Mr. DEWINE, Mr. HAGEL, Mr. BREAUX, Mr. MCCAIN, Mr. DODD, Mr. THOMPSON, Mr. BIDEN, and Mr. NELSON of Nebraska):

S. 525. A bill to expand trade benefits to certain Andean countries, and for other purposes; to the Committee on Finance.

Mr. GRAHAM. Mr. President, today I introduce a bill along with my colleagues Senators DEWINE, HAGEL, BREAUX, MCCAIN, DODD, THOMPSON, BIDEN, and BEN NELSON to introduce the ''Andean Trade Preference Expansion Acts,'' a bill that would provide additional trade benefits to the countries of Bolivia, Colombia, Ecuador, and Peru.

The Andean Trade Preference Act, commonly known as ATPA, was passed in 1991. That legislation is set to expire. If we are serious about halting the flow of drugs into this country, we must not let this happen. If we are committed to stabilizing the situation in Colombia, we must act this year, to both extend and expand those trade benefits.

The office of the United States Trade Representative recently published a report assessing the operation of the Andean trade agreement so far. The report concluded that this agreement is strengthening the legitimate economies of countries in the region and is an important component of our efforts to contain the spread of illicit activities. Export diversification in beneficiary countries is increasing, net coca cultivation has declined slightly. Although there is still progress to be made, these countries are working constructively with the United States on issues of concern including working conditions and intellectual property protection.

Despite this success, renewal of ATPA in its current form is not our goal. The landscape has changed since 1991.

Perhaps the most significant alteration was last year's passage of the ''Trade and Development Act of 2000,'' which provided significant new trade benefits to countries of the Caribbean Basin Initiative. As a result of enhanced trade benefits to these countries, the Andean region stands to lose a substantial number of apparel industry jobs—up to 100,000 jobs in Colombia alone. At least 10 U.S.-based companies that purchase apparel from Colombian garment manufacturers have already indicated their near-term intentions to shift production to Caribbean countries due to the significant cost savings associated with the new trade benefits afforded the region. Some of these U.S. companies have utilized Colombia as a manufacturing base for more than 10 years, providing desperately needed legitimate employment to the Colombian economy.

The immediate reaction of these companies to enhanced Caribbean trade benefits creates a dilemma. Clearly, it does not make sense for Congress to provide foreign aid on the one hand, and implement trade legislation that puts tens of thousands of people out of work on the other. This bill will address that critical, unintended contradiction by harmonizing the trade benefits of the Caribbean and Andean nations.

Specifically, our bill would extend duty-free, quota-free treatment to apparel articles assembled, cut or knit in Andean beneficiary nations using yarns and fabric wholly formed in the United States, and provide benefits to non-apparel items that were previously excluded from the Andean trade preferences package. These new benefits will create parity with the Caribbean Basin Initiative nations as well as expand an important source of economic and employment growth for the U.S. textile and apparel industry.

The United States is at now a critical juncture with its neighbors in the Andean region.

Last year, the United States government responded generously to Colombia's needs by providing a supplemental appropriations package of more than $1.6 billion dollars to help the country in its time of crisis. These funds were in addition to over $4.0 billion being spent by Colombia itself.

Fundamental to Plan Colombia, and to the government's ability to succeed in its efforts to safeguard the country, will be efforts to encourage economic growth and provide jobs to the Colombian people. Today in Colombia more than one million people are displaced, the unemployment rate is nearly 20 percent and Colombia is experiencing the worst recession in 70 years. Without new economic opportunities, more and more Colombians will turn to illicit activities to support their families or seek to join the growing numbers of people who are leaving the country to find a better, safer future for their families.

This ''trade plus aid'' approach to stabilizing the Andean region has been widely embraced. In its March 2000 report. ''First Steps Toward a Constructive U.S. Policy in Colombia,'' a Task Force I co-chair with General Brent Scowcroft recommended the extension of the ATPA, to include the same benefits as those contained under the Caribbean Basin Initiative.

Although this bill provides benefits to all ATPA beneficiaries, it is particularly critical to Colombia, which in 1998 exported 59 percent of all textiles and apparel from the Andean region to the U.S., two-thirds of which were assembled and/or cut from U.S. yarns and fabric. Colombian President Pastrana recognizes this. In his visit to Washington last week he stressed that access to U.S. markets was among the top priorities.

On a more comprehensive scale, passage of this legislation is critical to ensure that all nations in the Western Hemisphere can maintain their long-term competitiveness with Asian nations, particularly in the textile industry. At present, the textile products of most Asian nations are subject to quotas imposed by the Multi-Fiber Agreement, now known as the Agreement on Textiles and Clothing. This restriction on Asian textiles has enabled the nations of the Western Hemisphere to remain competitive, and further, the Andean region—specifically Colombia—has become a significant market for fabric woven in U.S. mills from yarn spun in the U.S. originating from U.S. cotton growers.

However, in 2005, these Asian import quotas will be phased out. At that time, textile production in both the Andean region and the Caribbean basin will be placed at a distinct and growing disadvantage. Disinvestment in the region will occur, reducing the incentive to use any material from U.S. textile mills or cotton grown in the United States.

The Congress must act this year to renew and expand trade benefits for the Andean countries. If we do not move forward, the current benefits will expire and these countries will lose an important means of developing legitimate industries and employment.

Mr. DEWINE. Mr. President, the illicit drug trade in the Andean region of South America is thriving. Lagging economies, weak law enforcement, and corrupt judiciary systems among many countries in the region have created an environment ideal for drug trafficking.

The chaotic situation in Colombia illustrates this. The nation is suffering its worst recession in over 70 years. The unemployment rate is at nearly 20 percent. Not surprisingly, as the Colombian economy has worsened, the country's coca cultivation has skyrocketed, becoming the source of nearly 80 percent of the cocaine consumed in the United States. To make matters worse, as the illicit drug money has poured in, violent insurgent groups in Colombia have used it to fund their guerilla movements, movements creating instability not only within Colombia, but also across the entire Andean Region.

Because of the dangerous and increasingly chaotic situation in the region, my colleagues—Senators GRAHAM, MCCAIN, HAGEL, BREAUX, DODD, and THOMPSON—and I are introducing the ''Andean Trade Preference Expansion Act,'' a bill that will help establish much-needed stability and security in the Andean Region by promoting a strong economic environment for enhanced trade throughout the Western Hemisphere.

This legislation is timely and important. The current Andean Trade Preference Act, which authorizes the President to grant certain unilateral preferential tariff benefits to Bolivia, Colombia, Ecuador, and Peru, is set to expire on December 4, 2001. We need to renew and expand this trade act not only because of its benefits for U.S. companies trading in the region, but also because it encourages economic development in Andean countries and economic alternatives to drug production and trafficking. I fear, Mr. President, that if the Andean Trade Preferences Act is not renewed by the end of this year, the economic and political situation in the Andean Region likely will destabilize further, threatening to expand an already booming illicit drug trade.

The economic situation in the Andean Region is growing worse by the day. The nations within the region have been struggling to pull themselves out of one of the worst economic crises in decades. The recession has been more severe than anticipated, and the Andean Development Corporation recently forecast negative rates of growth for next year in Colombia, Ecuador and

Venezuela. Only Peru and Bolivia will grow at all, and marginally at best.

The Colombian civil war and its spillover effect have further weakened domestic economies. Political instability has deterred foreign investment, and increased capital flight has put pressure on domestic currencies. While there are a few signs of possible recovery—including an increase in oil prices that will be helpful for Ecuador, Colombia and Venezuela—there is concern that the Andean region could experience a destabilizing financial crisis similar to the recent one in Asia.

Last year, Congress and the Clinton Administration tried to address political instability in the Andean region through passage of ''Plan Colombia''—the emergency supplemental plan developed to address the political and social instability in the Andean region. The Plan established programs to strengthen Colombian government institutions and promote alternative crop development programs throughout the region. A key element of Plan Colombia is that it recognizes that if we fight only the Colombian drug problem, we risk creating a ''spillover'' effect, where Colombia's drug trade shifts to adjacent countries in the region.

For Plan Colombia to succeed, it is crucial that we help bolster the faltering economies of the Andean countries—namely Colombia, Peru, Bolivia, and Ecuador—so they don't turn to the drug trade as an means for economic livelihood. The legislation we are introducing today—the Andean Trade Preference Expansion Act—will help embolden Plan Colombia and will help it succeed by increasing trade and economic opportunities within the region. Let me explain.

The recent implementation of the Caribbean Basin Initiative, which provides enhanced trade benefits to nations trading with Caribbean countries, is having the unintended consequence of shifting economic opportunities away from the Andean Region to the Caribbean Basin. Such a shift is further shrinking the economies within the Andean Region. Colombia, for example, stands to lose up to 100,000 jobs in the apparel industry because of the CBI. The simple fact is that companies, including U.S.-based businesses, are moving production to the Caribbean Basin to capitalize on the significant cost savings associated with the new CBI law. Already, at least 10 U.S.-based companies that purchase apparel from Colombian garment manufacturers have indicated their intentions to shift production to the Caribbean.

Our Andean Trade Preference Expansion Act would help correct for this unintended economic displacement by working in tandem with the CBI, so that we don't rob one region in our hemisphere to pay another. Specifically, our bill extends duty-free, quota-free treatment to apparel articles knit, assembled, or cut in an ATPA beneficiary nation that use yarns and fabrics wholly formed in the United States. This creates a measure of parity with Caribbean nations that currently receive trade preferences under the CBI. In addition, goods other than apparel that previously were not eligible for trade preferences under the current Andean Trade Preference Act would receive the NAFTA tariff rate.

Although our bill provides benefits to all ATPA beneficiaries, it is particularly critical to Colombia, which, in 1998, exported to the United States 59 percent of all textiles and apparel from the Andean region. Two-thirds of those exports were assembled and/or cut from U.S. yarns and fabrics. We cannot allow Colombia's economy to take this kind of hit. Plan Colombia simply cannot be effective unless Colombia can improve its economy and create and maintain job opportunities. I believe that our new legislation will help prevent further economic destabilization and stands to promote future economic growth.

Ultimately, we—as a nation—stand to lose or gain, depending on the economic health of our hemispheric neighbors. A more aggressive trade policy in the hemisphere is not only important for increasing markets for U.S. companies, but it also enhances stability and promotes security in the hemisphere. It is important to remember that a strong, and free, and prosperous hemisphere means a strong, and free, and prosperous United States. It is in our national interest to pursue an aggressive trade agenda in the Western Hemisphere to combat growing threats and promote prosperity.

I urge my colleagues to join us in support of the Andean Trade Preference Expansion Act. It is the right thing to do for our neighbors and for our businesses here at home.

Mr. MCCAIN. Mr. President, I would like to join with Senators GRAHAM, HAGEL, DEWINE, DODD, BIDEN, BREAUX, and THOMPSON today in introducing this important legislation to reauthorize the Andean Trade Preference Act. This legislation will renew and expand duty-free tariff treatment to our important trade partners: Bolivia, Colombia, Ecuador, and Peru. I would like to emphasize to my colleagues the importance of acting on this legislation, because the existing Andean Trade Preference Act will expire on December 4.

Having recently visited the region, I would like to assure my colleagues that this program plays an important role in aiding the economic development of our Andean allies, and stabilizing fragile democracies in the region. The existing Andean Trade Preference Act has helped two-way trade between the United States and the region to nearly double in the 1990s. During this time, U.S. exports grew 65 percent and U.S. imports increased 98 percent. In addition, the program is responsible for an increase in industrial and agricultural imports from the Andean beneficiary countries. This economic diversification is beneficial for economic growth in the Andean region, and will reduce pressure for the citizens of the region to become involved in the drug trade.

However, this program must be expanded to be truly effective. According to a recent study by the Congressional Research Service, only 10 percent of the imports from the Andean region enter the United States exclusively under the provisions of the existing Andean Trade Preference Act. I join with my colleagues in supporting Senator GRAHAM's legislation, because it plays an important first step in the reauthorization process by extending to the Andean region similar trade benefits to what the Congress voted to give the Caribbean region last year. During his confirmation hearing earlier this year, Ambassador Zoellick called for a ''renewed and robust Andean Trade Preference Act.'' I hope that my colleagues in the Senate will consider the United States Trade Representative's recommendations, and those of our allies in the Andean region, who have proven that they need expanded duty and quota-free treatment for their imports.

Many of us have had the benefit of traveling to Colombia over the past few months to observe the American-funded drug eradication efforts there, and to discuss Plan Colombia with the region's leaders. During my visit to Colombia in February, President Andres Pastrana made clear that liberalized trade with the United States, in the form of renewal and expansion of the Andean Trade Preference Act, was a critical pillar of his strategy to promote alternatives to the drug trade in his country. Plan Colombia is premised upon reducing the power and allure of the narco-traffickers and their rebel supporters who threaten America's interest in a democratic, prosperous, and stable Western Hemisphere. While the military component of America's assistance package remains controversial at home, expanding our trade relationship with Colombia, a nation of industrious people and vast natural resources, is a logical extension of our compelling interest in strengthening the Colombian state and providing its people with rewarding economic opportunities in the legitimate economy.

It is also important to view renewal and expansion of the Andean Trade Preference Act in terms of our larger trade agenda with our Latin American neighbors. Early reauthorization of this program will show our trade partners that the United States is seriously engaged in strengthening our trade relations and promoting interdependence in the region. It is my belief that the United States should pursue four policies this year in order to accomplish our mutually beneficial trade objectives with our Latin American partners:

1. Early renewal of the Andean Trade Preference Act;

2. Passage of trade promotion authority for the President;

3. Completion of negotiations on a free trade agreement with Chile; and

4. Accomplishment of serious progress on the Free Trade Area of the Americas negotiations in order to meet an early conclusion of these negotiations in 2003.

I look forward to working with the President and my colleagues in the Senate to pass this legislation in a timely manner before the December expiration. It is in our nation's economic and national security interests to reauthorize and expand trade benefits for the Andean region.

By Mr. DORGAN (for himself and Mr. ROCKEFELLER):

S. 526. A bill to amend title 49, United States Code, to provide that rail agreements and transactions subject to approval by the Surface Transportation Board are no longer exempt from the application of the antitrust laws, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. DORGAN. Mr. President, I would like to raise an issue that is of great concern to many of my constituents and to me. That is the issue of unchecked monopoly power of the nation's freight railroad industry.

Since the supposed deregulation of the rail industry in 1980, the number of major Class I railroads has declined from approximately 42 to only four major U.S. railroads today. Rather than achieving the competitive framework intended by deregulation, today's freight railroad industry can be best described as a handful of regional monopolies that rely on bottlenecks to exert maximum market power. Four mega-railroads overwhelmingly dominate railroad traffic, generating 95 percent of the gross ton-miles and 94 percent of the revenues, controlling 90 percent of all U.S. coal movement; 70 percent of all grain movement and 88 percent of all originated chemical movement.

This drastic level of consolidation has left rail customers with only two major carriers operating in the East and two in the West, and has far exceeded the industry's need to minimize unit operating costs. But consolidation alone has not produced these regional monopolies. Over the years, regulators have systematically adopted policies that so narrowly interpret the procompetitive provisions of the 1980 statute that railroads are essentially protected from ever having to compete with each other.

In my state, it costs $2,300 to move one rail car of wheat from North Dakota to Minneapolis, approx. 400 miles. Yet for a similar 400 mile move, between Minneapolis and Chicago, it costs only $238 to deliver that car. Move that same car another 600 miles to St. Louis, Missouri and it costs only $356 per car.

Since the deregulation of the railroad industry, the Interstate Commerce Commission, now the Surface Transportation Board, has been charged with the responsibility to make sure that the pro-competitive intent of that law was being carried out, so that those rail users without access to true market based competition would be protected by ''regulated competition.''

That clearly hasn't happened. Competition among rail carriers is virtually nonexistent in part because the ICC and the STB have consistently chosen to protect railroads from such competition, and have done little to protect rail customers that have no alternatives.

It is time for Congress to make it very clear that true market competition among railroads is what we originally intended then and what we require now. This is the same approach we have taken with telecommunications and natural gas pipelines, and it is the center of our deliberations regarding the future of the airline industry. Competition among railroads is critical for large sectors of our national economy.

That is why today, along with Senator JAY ROCKEFELLER, I am introducing the Rail Competition Enforcement Act to reinstate the Justice Department's review of proposed railroad mergers under antitrust laws. The bill would require both the Surface Transportation Board and the Justice Department to approve new mergers.

I look forward to working with my colleagues on this most important matter. 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. 526

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 ''Rail Competition Enforcement Act of 2001''.

SEC. 2. TERMINATION OF EXEMPTION.

(a) IN GENERAL.—Section 10706 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)(A), by striking '', and the Sherman Act (15 U.S.C. 1, et seq.),'' and all that follows through ''or carrying out the agreement'' in the third sentence;

(B) in paragraph (4)—

(i) by striking the second sentence; and

(ii) by striking ''However, the'' in the third sentence and inserting ''The''; and

(C) in paragraph (5)(A), by striking '', and the antitrust laws set forth in paragraph (2) of this subsection do not apply to parties and other persons with respect to making or carrying out the agreement''; and

(2) by striking subsection (e) and inserting the following:

''(e) APPLICATION OF ANTITRUST LAWS.—

''(1) IN GENERAL.—Nothing in this section exempts a proposed agreement described in subsection (a) from the application of the Sherman Act (15 U.S.C. 1 et seq.), the Clayton Act (15 U.S.C. 12, 14 et seq.), the Federal Trade Commission Act (15 U.S.C. 41 et seq.), section 73 or 74 of the Wilson Tariff Act (15 U.S.C. 8 and 9), or the Act of June 19, 1936 (15 U.S.C. 13, 13a, 13b, 21a).

''(2) ANTITRUST ANALYSIS TO CONSIDER IMPACT.—In reviewing any such proposed agreement for the purpose of any provision of law described in paragraph (1), the Board and any other reviewing agency shall take into account, among any other considerations, the impact of the proposed agreement on shippers and on affected communities.''.

(b) COMBINATIONS.—Section 11321 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''The authority'' in the first sentence and inserting ''Except as provided in section 11 of the Clayton Act (15 U.S.C. 21(a)), the authority''; and

(B) by striking ''is exempt from the antitrust laws and from all other law,'' in the third sentence and inserting ''is exempt from all other law (except the antitrust laws referred to in subsection (c)),''; and

(2) by adding at the end the following:

''(c) APPLICATION OF ANTITRUST LAWS.—

''(1) IN GENERAL.—Nothing in this section exempts a transaction described in subsection (a) from the application of the Sherman Act (15 U.S.C. 1 et seq.), the Clayton Act (15 U.S.C. 12, 14 et seq.), the Federal Trade Commission Act (15 U.S.C. 41 et seq.), section 73 or 74 of the Wilson Tariff Act (15 U.S.C. 8 and 9), or the Act of June 19, 1936 (15 U.S.C. 13, 13a, 13b, 21a).

''(2) ANTITRUST ANALYSIS TO CONSIDER IMPACT.—In reviewing any such transaction for the purpose of any provision of law described in paragraph (1), the Board and any other reviewing agency shall take into account, among any other considerations, the impact of the transaction on shippers and on affected communities.''.

(c) CLAYTON ACT.—

(1) APPLICATION OF ACT.—Section 7 of the Clayton Act (15 U.S.C. 18) is amended by striking ''Surface Transportation Board,'' in the last paragraph of that section.

(2) FTC ENFORCEMENT.—Section 11(a) of the Clayton Act (15 U.S.C. 21(a)) is amended by striking ''subject to jurisdiction'' and all that follows through the first semicolon and inserting ''subject to jurisdiction under subtitle IV of title 49, United States Code (except for agreements described in section 10706 of that title and transactions described in section 11321 of that title);''.

(d) CONFORMING AMENDMENTS.—

(1) The heading for section 10706 of title 49, United States Code, is amended to read as follows:

''§ 10706. Rate agreements''.

(2) The item relating to such section in the chapter analysis at the beginning of chapter 107 of such title is amended to read as follows:

''10706. Rate agreements.''.

SEC. 3. EFFECTIVE DATE.

The amendments made by section 2 shall apply to any agreement or transaction referred to in section 10706 or 11321, respectively, of title 49, United States Code, that is submitted to the Surface Transportation Board after December 31, 2001.

By Mr. HATCH (for himself, Mr. CLELAND, Mr. LOTT, Mr. THURMOND, Mrs. FEINSTEIN, Mr. SMITH of New Hampshire, Mr. BROWNBACK, Mr. ALLARD, Mr. ALLEN, Mr. BAUCUS, Mr. BOND, Mr. BUNNING, Ms. COLLINS, Mr. CRAIG, Mr. CRAPO, Mr. DAYTON, Mr. DEWINE, Mr. DOMENICI, Mr. ENSIGN, Mr. ENZI, Mr. FITZGERALD, Mr. FRIST, Mr. GRAMM, Mr. GRASSLEY, Mr. HAGEL, Mr. HELMS, Mr. HOLLINGS, Mr. HUTCHINSON, Mrs. HUTCHISON, Mr. INHOFE, Mr. JOHNSON, Mrs. LINCOLN, Mr. LUGAR, Mr. MCCAIN, Mr. MILLER, Mr. MURKOWSKI, Mr. REID, Mr. SESSIONS,

Mr. ROBERTS, Mr. SANTORUM, Mr. SHELBY, Ms. SNOWE, Mr. STEVENS, Mr. THOMAS, Mr. VOINOVICH and, Mr. WARNER):

S.J. Res. 7. A joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, it is with profound honor and reverence that I, together with my friend and colleague, Senator CLELAND, introduce a bi-partisan constitutional amendment to permit Congress to prohibit the physical desecration of the American flag.

The American flag serves as a symbol of our great nation. The flag represents in a way nothing else can, the common bond shared by an otherwise diverse people. Whatever our differences of party, race, religion, or socio-economic status, the flag reminds us that we are very much one people, united in a shared destiny, bonded in a common faith in our nation.

Nearly a decade ago, Supreme Court Justice John Paul Stevens reminded us of the significance of our unique emblem when he wrote:

A country's flag is a symbol of more than nationhood and national unity. It also signifies the ideas that characterize the society that has chosen that emblem as well as the special history that has animated the growth and power of those ideas. . . . So it is with the American flag. It is more than a proud symbol of the courage, the determination, and the gifts of a nation that transformed 13 fledgling colonies into a world power. It is a symbol of freedom, of equal opportunity, of religious tolerance, and of goodwill for other peoples who share our aspirations.

Throughout our history, the flag has captured the hearts and minds of all types of people, ranging from school teachers to union workers, traffic cops, grandmothers, and combat veterans. In 1861, President Abraham Lincoln called our young men to put their lives on the line to preserve the Union. When Union troops were beaten and demoralized, General Ulysses Grant ordered a detachment of men to make an early morning attack on Lookout Mountain in Tennessee. When the fog lifted from Lookout Mountain, the rest of the Union troops saw the American flag flying and cheered with a newfound courage. This courage eventually led to a nation of free men; not half-free and half-slave.

In 1941, President Franklin Roosevelt called on all Americans to fight the aggression of the Axis powers. After suffering numerous early defeats, the free world watched in awe as five Marines and one sailor raised the American flag on Iwo Jima. Their undaunted, courageous act, for which three of the six men died, inspired the allied troops to attain victory over fascism.

In 1990, President Bush called on our young men and women to go to the Mideast for Operations Desert Shield and Desert storm. After an unprovoked attack by the terrorist dictator Saadam Hussein on the Kingdom of Kuwait, American troops, wearing arm patches with the American flag on their shoulders, led the way to victory. General Norman Schwarzkopf addressed a joint session of Congress describing the American men and women who fought for the ideals symbolized by the American flag:

[W]e were Protestants and Catholics and Jews and Moslems and Buddhists, and many other religions, fighting for a common and just cause. Because that's what your military is. And we were black and white and yellow and brown and red. And we noticed that when our blood was shed in the desert, it didn't separate by race. It flowed together.

General Schwarzkopf then thanked the American people for their support, stating:

The prophets of doom, the naysayers, the protesters and the flag-burners all said that you wouldn't stick by us, but we knew better. We knew you'd never let us down. By golly, you didn't.

The pages of our history show that when this country has called our young men and women to serve under the American flag from Lookout Mountain to Iwo Jima to Kuwait, they have given their blood and lives. The crosses at Arlington, the Iwo Jima memorial, and the Vietnam Memorial honor those sacrifices. But there were those who did not.

In 1984, Greg Johnson led a group of radicals in a protest march in which he doused an American flag with kerosene and set it on fire as his fellow protestors chanted: ''America, the red, white, and blue, we spit on you.'' Sadly, the radical extremists, most of whom have given nothing, suffered nothing, and who respect nothing, would rather burn and spit on the American flag than honor it.

Contrast this image with the deeds of Roy Benavidez, an Army Sergeant from Texas, who led a helicopter extraction force to rescue a reconnaissance team in Vietnam. Despite being wounded in the leg, face, back, head, and abdomen by small arms fire, grenades, and hand-to-hand combat with vicious North Vietnamese soldiers, Benavidez held off the enemy and carried several wounded to the helicopters, until finally collapsing from a loss of blood. Benavidez earned the Medal of Honor. When Benavidez was buried in Arlington National Cemetery, the honor guard placed an American flag on his coffin and then folded it and gave it to his widow. The purpose of Roy Benavidez' heroic sacrifice—and the purpose of the American people's ratification of the First Amendment—was not to protect the right of radicals like Greg Johnson to burn and spit on the American flag.

The American people have long distinguished between the First Amendment right to speak and write one's political opinions and the disrespectful, and often violent, physical destruction of the flag. For many years, the people's elected representatives in Congress and 49 state legislatures passed statutes prohibiting the physical desecration of the flag. Our founding fathers, Chief Justice Earl Warren, and Justice Hugo Black believed these laws to be completely consistent with the First Amendment's protection of the spoken and written word and not disrespectful, extremist conduct.

In 1989, however, the Supreme Court abandoned the history and intent of the First Amendment to embrace a philosophy that made no distinction between oral and written speech about the flag and extremist, disrespectful of the flag. In Texas v. Johnson, five members of the Court, for the first time ever, struck down a flag protection statute. The majority argued that the First Amendment had somehow changed and now prevented a state from protecting the American flag from radical, disrespectful, and violent actions. When Congress responded with a federal flag protection statute, the Supreme Court, in United States v. Eichman, used its new and changed interpretation of the First Amendment to strike it down by another five-to-four vote.

Under this new interpretation of the First Amendment, it is assumed that the people, their elected legislators, and the courts can no longer distinguish between expressions concerning the flag that are more akin to spoken and written expression and expressions that constitute the disrespectful physical desecration of the flag. Because of this assumed inability to make such distinctions, it is argued that all of our freedoms to speak and write political ideas are wholly dependent on Greg Johnson's newly created ''right'' to burn and spit on the American flag.

This ill-advised and radical philosophy fails because its basic premise—that laws and judges cannot distinguish between political expression and disrespectful physical desecration—is so obviously false. It is precisely this distinction that laws and judges did in fact make for over 200 years. Just as judges have distinguished which laws and actions comply with the constitutional command to provide ''equal protection of the laws'' and ''due process of law,'' so to have judges been able to distinguish between free expression and disrespectful destruction.

Certainly, extremist conduct such as smashing in the doors of the State Department may be a way of expressing one's dissatisfaction with the nation's foreign policy objectives. And one may even consider such behavior speech. Laws, however, can be enacted preventing such actions in large part because there are peaceful alternatives that can be equally powerful. After all, right here in the United States Senate, we prohibit speeches or demonstrations of any kind, even the silent display of signs or banners, in the public galleries.

Moreover, it was not this radical philosophy of protecting disrespectful destruction that the people elevated to the status of constitutional law. Such an extremist philosophy was never ratified. Such a philosophy is not found in the original and historic intent of

the First Amendment. Thus, in this Senator's view, the Supreme Court erred in Texas v. Johnson and in United States v. Eichman.

Since Johnson and Eichman, constitutional scholars have opined that an attempt by Congress to protect the flag with another statute would fail in light of the new interpretation currently embraced by the Supreme Court. Thus, an amendment is the only legal means to protect the flag.

This amendment affects only the most radical forms of conduct and will leave untouched the current constitutional protections for Americans to speak their sentiments in a rally, to write their sentiments to their newspaper, and to vote their sentiments at the ballot box. The amendment simply restores the traditional and historic power of the people's elected representatives to prohibit the radical and extremist physical desecration of the flag.

Nor would restoring legal protection to the American flag place us on a slippery slope to limit other freedoms. No other symbol of our bi-partisan national ideals has flown over the battlefields, cemeteries, football fields, and school yards of America. No other symbol has lifted the hearts of ordinary men and women seeking liberty around the world. No other symbol has been paid for with so much blood of our countrymen. The American people have paid for their flag, and it is our duty to let them protect it.

In recent weeks, my colleagues on both sides of the political aisle have called for a new bipartisan spirit in Congress. This amendment offers these senators the chance to honor their words.

Restoring legal protection to the American flag is not, nor should it be, a partisan issue. Approximately sixty senators, both Republicans and Democrats, have joined with Senator CLELAND and myself as original cosponsors of this amendment.

Polls have shown that over 70 percent of the American people want the opportunity to vote to protect their flag. Numerous organizations from the American Legion to the Women's War Veterans to the African-American Women's clergy all support the flag protection amendment. Forty-nine state legislatures have passed resolutions calling for constitutional protection for the flag.

I am therefore proud to rise today to introduce a constitutional amendment that would restore to the people's elected representatives the right to protect our unique national symbol, the American flag, from acts of physical desecration.

Mr. President, I ask unanimous consent that the text of the proposed amendment be included in the RECORD.

Mr. President, I am very honored to be a cosponsor with my dear friend from Georgia, Senator CLELAND. I appreciate the efforts he has put forth in this battle, and having served in the military as he has done with distinction, courage and heroism, he has a great deal of insight on this issue. I am proud and privileged to be able to work with him.

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

S.J. RES. 7

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within 7 years after the date of its submission for ratification:

''ARTICLE—

''The Congress shall have power to prohibit the physical desecration of the flag of the United States.''.

Mr. DAYTON. Mr. President, today I cosponsor this legislation, introduced by the distinguished Senator from Utah and the distinguished Senator from Georgia, which would empower Congress to prohibit the burning or other desecration of the American Flag. I do so out of my conviction that the American Flag should be placed, preeminent and transcendent, as the inviolable representation of our great country, our greatest principles, and our highest ideals.

Our democratically elected leaders and our representative government do not always live up to these principles and ideals. However, they have sustained and inspired our governance for over 200 years. They are the principles and ideals for which, throughout our history, so many brave men and women have given their lives. They are the principles and ideals, embodied in the American Flag, which have been consecrated with their blood.

I came to this realization several years ago, when I visited the American Cemetery just off Normandy Beach in France. There stand almost 10,000 simple, white crosses in long, silent rows. Each one marks the grave of an American soldier, who gave his or her life on behalf of our country, on behalf of our principles and ideals, and on behalf of their preservation throughout the world.

These brave and mostly young soldiers did not necessarily agree with every decision made by their government and its leaders at the time. Nor did the brave men and women who gave their lives in wars before or afterward. Yet they made their supreme sacrifices on each of our, and all of our, behalfs. They gave up the rest of their lives, their families, their hopes, and their dreams, so that we might live under the American Flag and enjoy all of its freedoms, privileges, and opportunities.

Surely, that supreme sacrifice should be sanctified, honored, respected and forever made inviolate.

Many of my friends and trusted advisers have told me I am wrong to cosponsor this Constitutional Amendment. They say it violates the very first principle for which these courageous Americans gave their lives. They say that such an amendment will weaken our First Amendment rights for future protests, disagreements, and expressions of personal and political conscience.

I fully agree with their goals; yet, in this single instance, I disagree with their conclusions. No one supporting this amendment wants to compromise the essential freedoms of our First Amendment. In fact, by our seeking a Constitutional Amendment to protect the American Flag, its sponsors and supporters are acknowledging the sanctity of the United States Supreme Court's decision, which includes the burning or desecration of the American Flag as a Constitutionally protected form of ''Free Speech.'' In other words, virtually all expressions of political protest, disagreement, disrespect, and discontent are permitted.

They should be. And after this Amendment is adopted, they will be. That protection of our essential freedoms, first granted and forever guaranteed by the First Amendment of the United States Constitution, remain inviolable. By this Amendment, we acknowledge them, respect them, and would place above them only the one ultimate symbol of our country, our freedoms, and our great democracy: the American Flag.

Mr. President, I respect all of my colleagues and fellow citizens who disagree with our purpose through this legislation. However, I hope that they will not misunderstand our intent. Contrary to what some contend, this Constitutional amendment will not weaken either the First Amendment or the United States of America. In fact, it will strengthen both. It will remind all of us that there is something greater than ourselves, something greater than our individual opinions, something greater than our individual prerogatives. That something is greater than all of us, because it is all of us; it is the Flag of the United States of America.

Mr. HUTCHINSON. Mr. President, I am proud to be an original cosponsor of Senator HATCH's joint resolution which would amend the United States Constitution to prohibit the desecration of our flag. Opponents to this measure contend that the right to desecrate the flag is the ultimate expression of speech and freedom. I reject that proposition as I believe that the desecration of our flag is a reprehensible act which should be prohibited. It is an affront to the brave and terrible sacrifices made by millions of American men and women who willingly left their limbs, lives, and loved ones on battlefields around the world.

It is an affront to these Americans who have given the greatest sacrifices because of what the flag symbolizes. To explain what our flag represents, former United States Supreme Court Chief Justice Charles Evans Hughes in his work, ''National Symbol,'' said:

The flag is the symbol of our national unity, our national endeavor, our national aspiration.

The flag tells of the struggle for independence, of union preserved, of liberty and union one and inseparable, of the sacrifices of brave men and women to whom the ideals and honor of this nation have been dearer than life.

It means America first; it means an undivided allegiance.

It means America united, strong and efficient, equal to her tasks.

It means that you cannot be saved by the valor and devotion of your ancestors, that to each generation comes its patriotic duty; and that upon your willingness to sacrifice and endure as those before you have sacrificed and endured rests the national hope.

It speaks of equal rights, of the inspiration of free institutions exemplified and vindicated, of liberty under law intelligently conceived and impartially administered. There is not a thread in it but scorns self-indulgence, weakness, and rapacity.

It is eloquent of our community interests, outweighing all divergencies of opinion, and of our common destiny.

Former President Calvin Coolidge, echoed Chief Justice Hughes in ''Rights and Duties:''

We do honor to the stars and stripes as the emblem of our country and the symbol of all that our patriotism means.

We identify the flag with almost everything we hold dear on earth.

It represents our peace and security, our civil and political liberty, our freedom of religious worship, our family, our friends, our home.

We see it in the great multitude of blessings, of rights and privileges that make up our country.

But when we look at our flag and behold it emblazoned with all our rights, we must remember that it is equally a symbol of our duties.

Every glory that we associate with it is the result of duty done. A yearly contemplation of our flag strengthens and purifies the national conscience.

Given what our flag symbolizes, I find it incomprehensible that anyone would desecrate the flag and inexplicable that our Supreme Court would hold that burning a flag is protected speech rather than conduct which may be prohibited. I find it odd that one can be imprisoned for destroying a bald eagle's egg, but may freely burn our nation's greatest symbol. Accordingly, I urge my colleagues to pass this resolution so that our flag and all that it symbolizes may be forever protected.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 59—DESIGNATING THE WEEK OF MARCH 11 THROUGH MARCH 17, 2001, AS ''NATIONAL GIRL SCOUT WEEK''

Mrs. HUTCHISON (for herself, Ms. MIKULSKI, Mrs. BOXER, Ms. CANTWELL, Mrs. CARNAHAN, Mrs. CLINTON, Ms. COLLINS, Mrs. FEINSTEIN, Ms. LANDRIEU, Mrs. LINCOLN, Mrs. MURRAY, Ms. SNOWE, and Ms. STABENOW) submitted the following resolution; which was considered and agreed to:

S. RES. 59

Whereas March 12, 2001, is the 89th anniversary of the founding of the Girl Scouts of the United States of America;

Whereas on March 16, 1950, the Girl Scouts became the first national organization for girls to be granted a Federal charter by Congress;

Whereas through annual reports required to be submitted to Congress by its charter, the Girl Scouts regularly informs Congress of its progress and program initiatives;

Whereas the Girl Scouts is dedicated to inspiring girls and young women with the highest ideals of character, conduct, and service to others so that they may become model citizens in their communities;

Whereas the Girl Scouts offers girls aged 5 through 17 years a variety of opportunities to develop strong values and life skills and provides a wide range of activities to meet girls' interests and needs;

Whereas the Girl Scouts has a membership of nearly 3,000,000 girls and over 900,000 adult volunteers, and is one of the preeminent organizations in the United States committed to assisting girls to grow strong in mind, body, and spirit; and

Whereas by fostering in girls and young women the qualities on which the strength of the United States depends, the Girl Scouts, for 89 years, has significantly contributed to the advancement of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of March 11 through March 17, 2001, as ''National Girl Scout Week''; and

(2) requests the President to issue a proclamation designating the week of March 11 through March 17, 2001, as ''National Girl Scout Week'' and calling on the people of the United States to observe the 89th anniversary of the Girl Scouts of the United States of America with appropriate ceremonies and activities.

SENATE CONCURRENT RESOLUTION 24—EXPRESSING SUPPORT FOR A NATIONAL REFLEX SYMPATHETIC DYSTROPHY (RSD) AWARENESS MONTH

Mr. LIEBERMAN submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. CON. RES. 24

Whereas reflex sympathetic dystrophy (referred to in this resolution as ''RSD'') is an extremely painful progressive disease of the nervous system resulting from a simple trauma, infection, or surgery that can lead to chronic inflammation, spasms, burning pain, stiffness, and discoloration of the skin, muscles, blood vessels, and bones;

Whereas RSD can strike at any time, and currently afflicts an estimated 7,000,000 children and adults, the majority of whom are women;

Whereas RSD is a complex and little-known disease, inhibiting the early diagnosis and treatment needed for recovery and contributing to dismissals of patients' pain and suffering;

Whereas there is no known cure for RSD and treatment involves multiple medications and therapies with costs that can be prohibitive;

Whereas Betsy Herman established the RSDHope Teen Corner in 1998 and she and countless others advocates have worked tirelessly to provide information and support to RSD sufferers and their families and friends and to bring national attention to this crippling disease; and

Whereas each May is Reflex Sympathetic Dystrophy Awareness Month, the goal of which is to educate the public about the nature and effects of this terrible disease: Now, therefore,be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that—

(1) all Americans should take an active role in combatting reflex sympathetic dystrophy (RSD) by recognizing its symptoms (which often follow an injury or surgery), such as constant burning pain, skin irritation, inflammation, muscle spasms, fatigue, and insomnia;

(2) national and community organizations should be recognized and applauded for their work in promoting awareness about RSD and for providing information and support to its sufferers;

(3) health care providers should continue to increase their efforts to diagnose the disease in its earliest possible stages to increase the likelihood of remission; and

(4) the Federal Government has a responsibility to—

(A) endeavor to raise awareness about the importance of the early detection and proper treatment RSD;

(B) work to increase research funding so that the causes of, and improved treatment and cure for, RSD may be discovered; and

(C) continue to consider ways to improve access to, and the quality of, health care services for detecting and treating RSD.

SENATE CONCURRENT RESOLUTION 23—EXPRESSING THE SENSE OF CONGRESS WITH RESPECT TO THE INVOLVEMENT OF THE GOVERNMENT IN LIBYA IN THE TERRORIST BOMBING OF PAN AM FLIGHT 103, AND FOR OTHER PURPOSES

Mrs. FEINSTEIN (for herself, Mr. HELMS, Mr. KENNEDY, Mr. TORRICELLI, Mr. DODD, Mrs. BOXER, Mr. LEAHY, Mr. KYL, Mr. BROWNBACK, Mr. REID, Mr. BAUCUS, Mr. BYRD, and Mrs. CLINTON) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 23

Whereas 270 people, including 189 Americans, were killed in the terrorist bombing of Pan Am Flight 103 over Lockerbie, Scotland, on December 21, 1988;

Whereas, on January 31, 2001, the 3 judges of the Scottish court meeting in the Netherlands to try the 2 Libyan suspects in the bombing of Pan Am 103 found that ''the conception, planning, and execution of the plot which led to the planting of the explosive device was of Libyan origin'';

Whereas the Court found conclusively that Abdel Basset al Megrahi ''caused an explosive device to detonate on board Pan Am 103'' and sentenced him to a life term in prison;

Whereas the Court accepted the evidence that Abdel Basset al Megrahi was a member of the Jamahiriyah Security Organization, one of the main Libyan intelligence services;

Whereas the United Nations Security Council Resolutions 731, 748, 883, and 1192 demanded that the Government of Libya provide appropriate compensation to the families of the victims, accept responsibility for the actions of Libyan officials in the bombing of Pan Am 103, provide a full accounting of its involvement in this terrorist act, and cease all support for terrorism; and

Whereas, contrary to previous declarations by the Government of Libya and its representatives, in the wake of the conviction of Abdel Basset al Megrahi, Colonel Muammar