

(Mr. MILLER) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 953, a bill to establish a Blue Ribbon Study Panel and an Election Administration Commission to study voting procedures and election administration, to provide grants to modernize voting procedures and election administration, and for other purposes.

S. 957

At the request of Mr. WELLSTONE, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 957, a bill to provide certain safeguards with respect to the domestic steel industry.

S. 964

At the request of Mr. KENNEDY, the names of the Senator from Montana (Mr. BAUCUS), the Senator from Indiana (Mr. BAYH), the Senator from West Virginia (Mr. BYRD), the Senator from Washington (Ms. CANTWELL), the Senator from Delaware (Mr. CARPER), the Senator from Minnesota (Mr. DAYTON), the Senator from North Carolina (Mr. EDWARDS), the Senator from Hawaii (Mr. INOUYE), the Senator from Michigan (Ms. STABENOW), and the Senator from New Jersey (Mr. TORRICELLI) were added as cosponsors of S. 964, a bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

S.J. RES. 7

At the request of Mr. HATCH, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of 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.

At the request of Mr. HATCH, the name of the Senator from Florida (Mr. NELSON) was withdrawn as a cosponsor of S.J. Res. 7, supra.

S. RES. 16

At the request of Mr. THURMOND, the names of the Senator from Alabama (Mr. SHELBY), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Kansas (Mr. ROBERTS), and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of S. Res. 16, a resolution designating August 16, 2001, as "National Airborne Day".

S. RES. 71

At the request of Mr. HARKIN, the names of the Senator from South Dakota (Mr. DASCHLE), the Senator from Michigan (Ms. STABENOW), and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. Res. 71, a resolution expressing the sense of the Senate regarding the need to preserve six day mail delivery.

S. RES. 92

At the request of Mr. JOHNSON, his name was added as a cosponsor of S. Res. 92, a resolution to designate the week beginning June 3, 2001, as "National Correctional Officers and Employees Week."

At the request of Mrs. FEINSTEIN, the names of the Senator from Missouri

(Mrs. CARNAHAN), the Senator from New Hampshire (Mr. SMITH), the Senator from Alabama (Mr. SESSIONS), the Senator from Oregon (Mr. SMITH), the Senator from Montana (Mr. BURNS), the Senator from Alaska (Mr. STEVENS), the Senator from Washington (Mrs. MURRAY), the Senator from California (Mrs. BOXER), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Illinois (Mr. DURBIN), and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of S. Res. 92, supra.

S. RES. 98

At the request of Mr. BOND, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. Res. 98, a resolution designating the period beginning on June 11 and ending on June 15, 2001 as "National Work Safe Week."

S. CON. RES. 3

At the request of Mr. FEINGOLD, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Con. Res. 3, a concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of the U.S.S. Wisconsin and all those who served aboard her.

S. CON. RES. 24

At the request of Mr. LIEBERMAN, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. Con. Res. 24, a concurrent resolution expressing support for a National Reflex Sympathetic Dystrophy (RSD) Awareness Month.

S. CON. RES. 35

At the request of Mr. SCHUMER, the names of the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Georgia (Mr. MILLER), and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. Con. Res. 35, a concurrent resolution expressing the sense of Congress that Lebanon, Syria, and Iran should allow representatives of the International Committee of the Red Cross to visit the four Israelis, Adi Avitan, Binyamin Avraham, Omar Souad, and Elchanan Tannenbaum, presently held by Hezbollah forces in Lebanon.

S. CON. RES. 43

At the request of Mr. LEVIN, the names of the Senator from Montana (Mr. BAUCUS) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. Con. Res. 43, a concurrent resolution expressing the sense of the Senate regarding the Republic of Korea's ongoing practice of limiting United States motor vehicles access to its domestic market.

AMENDMENT NO. 424

At the request of Mr. LEAHY, the names of the Senator from Virginia (Mr. ALLEN), the Senator from Utah (Mr. BENNETT), the Senator from South Dakota (Mr. DASCHLE), the Senator from New Mexico (Mr. DOMENICI), the Senator from Arkansas (Mr. HUTCHINSON), and the Senator from Nevada (Mr. REID) were added as cosponsors of amendment No. 424.

AMENDMENT NO. 426

At the request of Mr. CONRAD, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of amendment No. 426 intended to be proposed to S. 1, an original bill to extend programs and activities under the Elementary and Secondary Education Act of 1965.

AMENDMENT NO. 465

At the request of Mr. WELLSTONE, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of amendment No. 465.

AMENDMENT NO. 625

At the request of Mr. WYDEN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 625.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRAHAM (for himself, Mr. JEFFORDS, Mr. KENNEDY, Mr. LUGAR, Mr. BINGAMAN, Mr. CHAFEE, Mr. ROCKEFELLER, Mrs. MURRAY, Mr. HOLLINGS, Mr. LEVIN, Mr. CORZINE, and Mrs. LINCOLN):

S. 982. A bill to promote primary and secondary health promotion and disease prevention services and activities among the elderly, to amend title XVIII of the Social Security Act to add preventive health benefits, and for other purposes; to the Committee on Finance.

Mr. GRAHAM. Mr. President, I rise today, along with my colleagues Senators JEFFORDS, KENNEDY, LUGAR, BINGAMAN, CHAFEE, MURRAY, HOLLINGS, ROCKEFELLER, LEVIN, LINCOLN, and CORZINE, to introduce the Medicare Wellness Act.

For too long, the Medicare approach to health care has been wholly reactive. Benefits are designed to treat illness and disability once a recipient is already suffering. This approach is outdated. It is time for Medicare to become pro-active. It is time to focus on helping people to prevent disease in the first place so that they may live not just longer, but more fulfilling lives.

The Medicare Wellness Act shifts the focus of Medicare, changing it from a program that simply treats illness to one that promotes wellness. For this reason, The Medicare Wellness Act has support from a broad range of groups, including the National Council on Aging, the American College of Preventive Medicine, the American Heart Association, and the National Osteoporosis Foundation.

Currently, 70 percent of medical spending is the result of preventable illnesses, many of which occur in older adults. It does not have to be this way. Research shows that declines in health are not inevitable with age. In fact, many chronic diseases can be prevented by making lifestyle changes such as taking up an exercise program

or quitting smoking. A healthier lifestyle adopted at any time during one's lifetime can increase active life expectancy and decrease disease and disability.

The Medicare Wellness Act helps promote preventive health care among older Americans, first by adding to the list of Medicare benefits several services that we know to be effective in preventing disease.

These benefits focus on some of the most prominent, underlying risk factors for illness that face all Medicare beneficiaries, including: Screening for hypertension, counseling for tobacco cessation, medical nutrition therapy services for cardiovascular patients, counseling for post-menopausal women, screening for vision and hearing loss, expanded screening for osteoporosis, and screening for cholesterol.

The addition of these new benefits represent the highest recommendations for Medicare beneficiaries in the U.S. Preventive Services Task Force, recognized as the gold standard within the prevention community, and the Institute of Medicine.

The benefits can help reduce Medicare beneficiaries' risk for health problems such as stroke, cancer, osteoporosis, and heart disease.

Other major components of our bill include the establishment of the Healthy Seniors Promotion Program. This program will be led by an inter-agency group within the Department of Health and Human Services, which will look at existing preventive benefits and offer suggestions to make their use more widespread.

This point is critical.

The fact is that there are a number of prevention-related services available to Medicare beneficiaries today, including mammograms and colorectal cancer screening. But those services are seriously underutilized. A study published by Dartmouth University, The Dartmouth Atlas of Health Care 1999, found that only 28 percent of women age 65-69 receive mammograms and only 12 percent of beneficiaries were screened for colorectal cancer. These are disturbing figures.

Additionally, the Medicare Wellness Act incorporates an aggressive applied research effort to investigate new methods of improving the health of Medicare beneficiaries and the management of chronic diseases.

Further, our bill would establish a health education and risk appraisal program aimed at major behavioral risk factors such as diet, exercise, alcohol and tobacco use, and depression.

This program will target both pre-65 individuals and current Medicare beneficiaries and will strive to increase awareness among individuals of major risk factors that impact health, to change personal health habits, to improve health status, and ultimately to save the Medicare program money.

In addition to new research on prevention among Medicare beneficiaries,

the Medicare Wellness Act would require several reports to assess the overall scientific validity of the Medicare preventive benefits package.

First, our bill would require the Medicare Payment Advisory Commission, known as MedPAC, to report to Congress every three years on whether the Medicare program needs to change over time in order to ensure that Medicare benefits are appropriate for the population being served and is as comprehensive as private insurance plans offered.

Currently, there is no regular assessment to ensure that Medicare is providing a healthcare package that is up-to-date with either the current needs of seniors or current scientific findings. Quite frankly, Medicare hasn't kept up with the rest of the health care world, we need to do better.

A second study that our bill would require is one in which the Institute of Medicine, IOM, would assess, every three years, the scientific validity of the entire Medicare preventive benefits package.

The study will be presented to Congress in a manner that mirrors The Trade Act of 1974. The Institute of Medicine's recommendations would be presented to Congress in legislative form. Congress would then have 60 days to either accept or reject the recommendations. But Congress could not change the recommendations themselves.

This "fast-track" process is a deliberate effort to get Congress out of the business of micro-managing the Medicare program allowing science to dictate the medical needs of seniors in America.

In the aggregate, the Medicare Wellness Act represents the most comprehensive legislative proposal in the 107th Congress for the Medicare program focused on health promotion and disease prevention for beneficiaries. It represents sound health policy based on sound science.

However, at a time when there is concern over the solvency of Medicare and concern that it won't be able to provide future seniors with the health care that they are promised, one may question whether it is wise to expand upon benefits already offered. And one is wise to do so.

However, the issue of prevention is different.

Benjamin Franklin was truly on the mark when he first said that "an ounce of prevention is worth a pound of cure". Offering preventive care under Medicare, or the "ounce of prevention," will definitely cost the government money up front. However, this initial outlay of dollars will be returned in terms of costs saved in the long run by avoiding long-term, cost intensive treatments, or the "pound of cure".

And, just as important, although unmeasurable, will be the enhanced quality of life for seniors. Prevention helps us all to live more healthy lives

in the long run which translates into more productive and fulfilling lives as well.

Today, many people continue to work beyond the age of 65 contributing to the workforce and the economy. However, they are only able to do so if their health allows.

When considering the future of Medicare, the question really comes down to this. Is the value of improved quality of life for seniors and their ability to maintain healthy, functional and productive lives worth the expenditure?

While improving Medicare's financial outlook for future generations is imperative, we must do it in a way that gives our seniors the ability to live longer, healthier and valued lives.

I believe that by pursuing a prevention strategy that addresses some of the most fundamental risk factors for chronic illness and disability that face seniors, we will make an invaluable contribution to the Medicare reform debate and, more importantly, to our children and grandchildren.

I encourage my colleagues to join us on this important bill and to work with us to ensure that the provisions of the bill are reflected in any Medicare reform legislation that is debated and voted on this year in the Senate.

I ask unanimous consent that a list of groups supporting this bill be printed in the RECORD.

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

GROUPS SUPPORTING THE MEDICARE WELLNESS ACT OF 2001

American Cancer Society.

American College of Preventive Medicine.

American Dietetic Association.

American Geriatrics Society.

American Heart Association.

American Lung Association.

American Physical Therapy Association.

American Public Health Association.

American Speech-Language Hearing Association.

Campaign for Tobacco Free Kids.

Families USA.

National Campaign for Hearing Health.

National Osteoporosis Foundation.

National Committee to Preserve Social Security and Medicare.

National Council on Aging.

National Chronic Care Association.

National Mental Health Association.

Partnership for Prevention.

Strong Women Inside and Out.

United Cerebral Palsy Associations.

Mr. JEFFORDS. Mr. President, I am pleased to join Senator GRAHAM today in introducing the Medicare Wellness Act of 2001. Our Nation's rapidly growing senior population and the ongoing search for cost-effective health care have led to the development of this important legislation. The goal of the Medicare Wellness Act is to increase access to preventive health services, improve the quality of life for America's seniors, and increase the cost-effectiveness of the Medicare program.

Congress created the Medicare program in 1965 to provide health insurance for Americans age 65 and over.

From the outset, the program has focused on coverage for hospital services needed for an unexpected or intensive illness. In recent years, however, a great escalation in program expenditures and an increase in knowledge about the value of preventive care have forced policy makers to re-evaluate the current Medicare benefit package.

The Medicare Wellness Act adds to the Medicare program those benefits recommended by the Institute of Medicine and the U.S. Preventive Services Task Force. These include: screening for hypertension, counseling for tobacco cessation, counseling for hormone replacement therapy, screening for vision and hearing loss, cholesterol screening, expanded screening for osteoporosis, and nutrition therapy counseling or seniors with cardiovascular disease. These services address the most prominent risk factors facing Medicare beneficiaries.

In 1997 and again in 2000, Congress added several new preventive benefits to the Medicare program through the Balanced Budget Act and the Beneficiary Improvement and Protection Act. These benefits included annual mammography, diabetes self-management, prostate cancer screening, pelvic examinations, glaucoma screening, and colorectal cancer screening. Congress's next logical step is to incorporate the nine new screening and counseling benefits in the Medicare Wellness Act. If these symptoms are addressed regularly, beneficiaries will have a head start on fighting the conditions they lead to, such as diabetes, lung cancer, heart disease, blindness, osteoporosis, and many others.

Research suggests that insurance coverage encourages the use of preventive and other health care services. The Medicare Wellness Act also eliminates the deductibles and coinsurance for new and current preventive benefits in the program. Because screening services are directed at people without symptoms, this will further encourage the use of services by reducing the cost barrier to care. Increased use of screening services will mean that problems will be caught earlier, which will permit more successful treatment. This will save the Medicare program money because it is cheaper to screen for an illness and treat its early diagnosis than to pay for drastic hospital procedures at a later date.

However, financial access is not the only barrier to the use of preventive care services. Other barriers include low levels of education or information for beneficiaries. That is why the Medicare Wellness Act instructs the Secretary of Health and Human Services to coordinate with the Centers for Disease Control and Prevention and the Health Care Financing Administration to establish a Risk Appraisal and Education Program within Medicare. This program will target both current beneficiaries and individuals below the age of 65 who have high risk factors. Outreach to these groups will offer ques-

tions regarding major behavioral risk factors, including the lack of proper nutrition, the use of alcohol, the lack of regular exercise, the use of tobacco, and depression. State of the art software, case managers, and nurse hotlines will then identify what conditions beneficiaries are at risk for, based on their individual responses to the questions, then refer them to preventive screening services in their area and inform them of actions they can take to lead a healthier life.

The Medicare Wellness Act also establishes the Healthy Seniors Promotion Program. This program will bring together all the agencies within the Department of Health and Human Services that address the medical, social and behavioral issues affecting the elderly to increase knowledge about and utilization of prevention services among the elderly, and develop better ways to prevent or delay the onset of age-related disease or disability.

Now is the time for Medicare to catch up with current health science. We need a Medicare program that will serve the health care needs of America's seniors by utilizing up-to-date knowledge on healthy aging. Effective health care must address the whole health of an individual. A lifestyle that includes proper exercise and nutrition, and access to regular disease screening ensures that proper attention is being paid to the whole individual, not just a solitary body part. It is time we reaffirm our commitment to provide our Nation's seniors with quality health care.

It is my hope that my colleagues in Congress will examine this legislation and realize the inadequacy of the current package of preventive benefits in the Medicare program. We have the opportunity to transform Medicare from an out-dated sickness program to a modern wellness program. I want to thank Senator BOB GRAHAM and all the other cosponsors of the Medicare Wellness Act who are supporting this bold step towards successful Medicare reform.

Mr. KENNEDY. Mr. President, it's a privilege to join Senator GRAHAM and Senator JEFFORDS in introducing the Medicare Wellness Act of 2001, Medicare reform for the 21st century. This important legislation will make it easier for senior citizens to take advantage of the preventive benefits to them, while strengthening Medicare at the same time.

Greater investment in the health of the nation's elderly is long overdue. Although we have made significant progress in reducing chronic disability among older Americans, we still have a long way to go. According to the World Health Organization, the United States ranks behind 23 other nations in "healthy life expectancy." Surely, we can do better than that.

Each year, chronic disability adds \$26 billion to the nation's health care costs. Unless we act, the burden of these costs will become increasingly

unbearable for countless senior citizens. In the next 30 years, Medicare will be under even heavier pressures as the baby boom generation retires. Nearly one fifth of the population will be 65 and older by 2025, which means that a larger number of beneficiaries will be supported by a smaller number of workers. To avoid hard remedies such as benefit cuts or tax increases, we should do all we can to reduce future Medicare costs by improving the health of senior citizens.

According to a study at Duke University, if the 1.3 percent decline in disability achieved over the last 12 years can be raised to 1.5 percent, we can potentially save enough in Medicare to avoid any substantial long-term increase in Medicare tax or reduction in benefits. The Medicare Wellness Act attempt to do that. It waives cost-sharing for a series of preventive benefits, provides individual health risk appraisals, encourages a falls prevention campaign, and funds pilot projects and new research on the most effective ways to encourage senior citizens to adopt healthier lifestyles.

Prevention saves lives and saves money. Screening can often be the difference between a successful battle with cancer and a failed one. Colorectal cancers, for example, have a five-year survival rate of up to 90 percent if detected at an early stage—but currently only 37 percent of these cancers are actually diagnosed early. Unfortunately, screening tests are significantly under-used by Medicare beneficiaries. Only approximately a third of men and women at-risk for these cancers are currently being screened.

Our bill helps to combat this problem by eliminating cost-sharing and deductibles for a wide range of preventive services, such as screening for colorectal cancers, mammography, screening for glaucoma, bone mass measurement, medical nutrition therapy services, and screening for cholesterol problems and hypertension.

The Medicare Wellness Act also creates a national "falls prevention" education and awareness campaign to reduce these injuries. Older Americans are hospitalized for fall-related injuries five times more often than they are for other types of injuries. This awareness campaign will educate senior citizens about precautions they can take to reduce the likelihood of such injuries.

Clinical depression also takes a heavy toll on the nation's elderly. Compared to all other age groups, senior citizens have the highest suicide rate in the nation. Twenty percent of persons age 55 and older suffer from a mental disorder that is not part of the normal aging process. As with so many other illnesses, depression is under-diagnosed among the elderly. This bill provides needed funding for demonstration projects to screen for depression, so that elderly persons suffering from this problem can be diagnosed and referred to specialists for the treatment they need.

The Medicare Wellness Act also encourages senior citizens to improve their health and reduce the risks of illness in other ways. Typical factors leading to poor health include smoking, physical inactivity, and excessive use of alcohol. A health risk appraisal initiative under the Act will give senior citizens the individual attention they need to make the changes in lifestyle necessary to improve their health.

In addition, the Medicare Wellness Act encourages research to explore the most effective ways to improve Medicare's role in preventing disease and improving health. Pilot programs are authorized to experiment with innovative ways to promote healthier lifestyles and reach out to senior citizens in various settings.

“ 9902.21.01	Fructooligosaccharides (FOS) (provided for in subheading 2106.90.99)	Free
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(b) **EFFECTIVE DATE.**—The amendment made by this section applies with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

By Mr. ENZI (for himself and Ms. SNOWE).

S. 984. A bill to improve the Veterans Beneficiary Travel Program of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

Mr. ENZI. Madam President I rise today to introduce the Veterans Road to Health Care Act 2001. This legislation would raise the travel reimbursement rate for veterans who must travel to Veterans Administration hospitals for treatment. The current reimbursement for veterans is 11 cents per mile. This bill would raise that figure to match the Federal employees travel reimbursement rate which is 34.5 cents per mile.

The average price for gas in Wyoming right now is \$1.63 per gallon. I know it varies across the Nation. The current rate of 11 cents per miles barely makes a dent in the expenses incurred by veterans who have no choice but travel by automobile for health care. I have received numerous letters from veterans in Wyoming describing how difficult it is to work into their budget the money necessary to travel between their hometown and the VA hospital. Being able to access health care is vital, it should not be a choice between driving to receive needed treatment or being able to afford other necessities.

In Wyoming, we have two VA hospitals, one in Cheyenne and one in Sheridan. Veterans have to travel to one of these facilities to be treated for health conditions and be covered by the health care plan that the military provides for them. This poses a serious problem in terms of travel expense, especially with the rise in gasoline prices. It was a problem before; it is a bigger problem now. Some of the largest towns in Wyoming like Evanston and Cody are over 300 miles away from

Federal agencies will undertake particular research programs on these issues. The Medicare Payment Advisory Commission is asked to evaluate Medicare benefits in relation to private sector benefits. The National Institute on Aging is asked to report on ways to improve the quality of life for the elderly. The Institute of Medicine is asked to make recommendations to Congress about the medical and cost effectiveness of existing Medicare benefits and the potential benefit of preventive services.

I urge my colleagues to support this important legislation. The Medicare Wellness Act can be a significant contribution to healthier senior citizens and a healthier Medicare.

By Mr. ALLARD:

S. 983. A bill to suspend temporarily the duty on Fructooligosaccharides; to the Committee on Finance.

Mr. ALLARD. Mr. President, today I am introducing a bill that would temporarily suspend the duty on Fructooligosaccharides. 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. 983

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TEMPORARY SUSPENSION OF DUTY.

(a) **IN GENERAL.**—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new heading:

No change	No change	On or before 12/31/2003	“.
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S. 984

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 “Veterans Road to Health Care Act of 2001”.

SEC. 2. IMPROVEMENT OF VETERANS BENEFICIARY TRAVEL PROGRAM.

(a) **PAYMENTS FOR CERTAIN ADDITIONAL MEDICAL CARE.**—(1) Section 111(b)(1) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

“(G) A veteran whose travel is in connection with treatment or care for a non-service-connected disability at non-Department facility if the treatment or care—

“(i) is provided upon the recommendation of medical personnel of the Department; and

“(ii) is not available at the Department facility at which such recommendation is made.”.

(2) The amendment made by paragraph (1) shall take effect on October 1, 2001, and shall apply with respect to fiscal years after fiscal year 2001.

(b) **CALCULATION OF EXPENSES OF TRAVEL.**—(1) Notwithstanding any other provision of law, in calculating expenses of travel for purposes of the Veterans Beneficiary Travel Program, the Secretary of Veterans Affairs shall utilize the current mileage reimbursement rates for the use on official business of privately owned vehicles prescribed by the Administrator of General Services under section 5707(b) of title 5, United States Code.

(2) In this subsection, the term “Veterans Beneficiary Travel Program” means the program of payment or reimbursement for necessary expenses of travel of veterans and their beneficiaries prescribed under sections 111 and 1728 of title 38, United States Code, and under any other provisions of law administered by the Secretary of Veterans Affairs for payment or reimbursement for such expenses of travel.

By Mr. GRASSLEY (for himself, Mr. SCHUMER, Mr. LEAHY, Mr. SMITH of New Hampshire, Mr. ALLARD, Mr. FEINGOLD, and Mr. SPECTER):

S. 986. A bill to allow media coverage of court proceedings; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, I rise today to introduce the “Sunshine in

the Courtroom Act.” This bill will give federal judges the discretion to allow for the photographing, electronic recording, broadcasting and televising of federal court proceedings. The Sunshine in the Courtroom Act will help the public become better informed about the judicial process. Moreover, this bill will help produce a healthier judiciary. Increased public scrutiny will bring about greater accountability and help judges to do a better job. The sun needs to shine in on the federal courts.

Allowing cameras in the federal courtrooms is consistent with our Founding Fathers’ intent that trials be held in front of as many people as choose to attend. I believe that the First Amendment requires that court proceedings be open to the public and, by extension, the news media. The Constitution and Supreme Court both support the fundamental principles and aims of this bill. The Supreme Court has said, “what transpires in the courtroom is public property.” Clearly, the American values of openness and education are served by using electronic media in federal courtrooms.

There are many benefits and no substantial detrimental effects to allowing greater public access to the inner workings of our federal courts. Fifteen states conducted studies aimed specifically at the educational benefits derived from camera access to courtrooms. They all determined that camera coverage contributed to greater public understanding of the judicial system.

Moreover, the widespread use in state court proceedings show that still and video cameras can be used without any problems, and that procedural discipline is preserved. According to the National Center for State Courts, forty-eight states allow modern audio-visual coverage of court proceedings under a variety of rules and conditions. My own State of Iowa has operated successfully in this open manner for 20 years. Further, at the federal level, the Federal Judicial Center conducted a pilot program in 1994 which studied the effect of cameras in a select number of federal courts. That study found “small or no effects of camera presence on participants in the proceeding, courtroom decorum, or the administration of justice.”

I would like to note that even the Supreme Court has recognized that there is a serious public interest in the open airing of important court cases. At the urging of Senator SCHUMER and myself, Chief Justice Rehnquist allowed the delayed audio broadcasting of the oral arguments before the Supreme Court in the 2000 presidential election dispute. The Supreme Court’s response to our request was an historic, major step in the right direction. Since then, other courts have followed suit, such as the live audio broadcast of oral arguments before the D.C. Circuit in the Microsoft antitrust case and the televising of appellate proceedings before the Ninth

Circuit in the Napster copyright case. The public wants to see what is happening in these important judicial proceedings, and the benefits are significant in terms of public knowledge and discussion.

We’ve introduced the Sunshine in the Courtroom Act with a well-founded confidence based on the experience of the states as well as state and federal studies. However, in order to be certain of the safety and integrity of our judicial system, we have included a 3-year sunset provision allowing a reasonable amount of time to determine how the process is working before making the provisions of the bill permanent.

It is also important to note that the bill simply gives judges the discretion to use cameras in the courtroom. It does not require judges to have cameras in their courtroom if they do not want them. The bill also protects the anonymity of non-party witnesses by giving them the right to have their voices and images obscured during testimony.

So, the bill does not require cameras, but allows judges to exercise their discretion to permit cameras in appropriate cases. The bill protects witnesses and does not compromise safety. The bill preserves the integrity of the judicial system. The bill is based on the experience of the states and the federal courts. And the bill’s net result will be greater openness and accountability of the nation’s federal courts. The best way to maintain confidence in our judicial system, where the federal judiciary holds tremendous power, is to let the sun shine in by opening up the federal courtrooms to public view through broadcasting. And allowing cameras in the courtroom will bring the judiciary into the 21st century. I urge my colleagues to join me in supporting the Sunshine in the Courtroom Act.

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. 986

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. DEFINITIONS.

In this Act:

(1) PRESIDING JUDGE.—The term “presiding judge” means the judge presiding over the court proceeding concerned. In proceedings in which more than 1 judge participates, the presiding judge shall be the senior active judge so participating or, in the case of a circuit court of appeals, the senior active circuit judge so participating, except that—

(A) in en banc sittings of any United States circuit court of appeals, the presiding judge shall be the chief judge of the circuit whenever the chief judge participates; and

(B) in en banc sittings of the Supreme Court of the United States, the presiding judge shall be the Chief Justice whenever the Chief Justice participates.

(2) APPELLATE COURT OF THE UNITED STATES.—The term “appellate court of the United States” means any United States cir-

cuit court of appeals and the Supreme Court of the United States.

SEC. 2. AUTHORITY OF PRESIDING JUDGE TO ALLOW MEDIA COVERAGE OF COURT PROCEEDINGS.

(a) AUTHORITY OF APPELLATE COURTS.—Notwithstanding any other provision of law, the presiding judge of an appellate court of the United States may, in the discretion of that judge, permit the photographing, electronic recording, broadcasting, or televising to the public of court proceedings over which that judge presides.

(b) AUTHORITY OF DISTRICT COURTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, any presiding judge of a district court of the United States may, in the discretion of that judge, permit the photographing, electronic recording, broadcasting, or televising to the public of court proceedings over which that judge presides.

(2) OBSCURING OF WITNESSES.—

(A) IN GENERAL.—Upon the request of any witness in a trial proceeding other than a party, the court shall order the face and voice of the witness to be disguised or otherwise obscured in such manner as to render the witness unrecognizable to the broadcast audience of the trial proceeding.

(B) NOTIFICATION TO WITNESSES.—The presiding judge in a trial proceeding shall inform each witness who is not a party that the witness has the right to request that the image and voice of that witness be obscured during the witness’ testimony.

(c) ADVISORY GUIDELINES.—The Judicial Conference of the United States may promulgate advisory guidelines to which a presiding judge, in the discretion of that judge, may refer in making decisions with respect to the management and administration of photographing, recording, broadcasting, or televising described under subsections (a) and (b).

SEC. 3. SUNSET.

The authority under section 2(b) shall terminate 3 years after the date of the enactment of this Act.

Mr. FEINGOLD. Mr. President, I am proud to once again be an original co-sponsor of the Grassley-Schumer bill on cameras in the courtroom. I strongly support allowing cameras in federal courtrooms for a simple reason. Trials and court hearings are public proceedings. They are paid for by the taxpayers. Except in the most rare and unusual circumstances, the public has a right to see what happens in those proceedings. We have a long tradition of press access to trials, but in this day and age, it is no longer sufficient to be able to read in the morning paper what happened in a trial the day before. The public wants to see for itself what goes on in our courts of law, and I think it has a right to do so.

Experience in the state courts—and the vast majority of states now allow trials to be televised—has shown that it is possible to permit the public to see trials on television without compromising the rights of a defendant to a fair trial or the safety or privacy interests of witnesses or jurors. Concerns about cameras interfering with the fair administration of justice in this country I believe are overstated.

Let me note also that I believe the arguments against allowing cameras in the courtroom are the least persuasive in the case of appellate proceedings, including the Supreme Court. I had the

opportunity to watch the oral argument at the Supreme Court late in 1999 in an important case dealing with campaign finance reform. It was a fascinating experience, and one that I wish all Americans could have. Of course, the entire country was able to hear audio feeds of the two oral arguments in *Bush v. Gore* only hours after those arguments were completed. Hearing those arguments directly was an important and positive public educational experience. Seeing the arguments live would have been even better. I do not believe that a discreet camera in that courtroom would have changed the argument one iota.

There is no question in my mind that the highly trained and prestigious judges and lawyers who sit on and argue before our nation's federal appellate courts would continue to conduct themselves with dignity and professionalism if cameras were recording their work. These proceedings are where law is made in this country. The public will benefit greatly from being able to watch federal judges and advocates in action at oral argument.

The bill that my friends from New York and Iowa are introducing today is a responsible and measured bill. It gives discretion to individual federal judges to allow cameras in their courtrooms. At the same time, it assures that witnesses will be able to request that their identities not be revealed in televised proceedings. This bill gives deference to the experience and judgment of federal judges who remain in charge of their own courtrooms. That is the right approach.

My state of Wisconsin has a long and proud tradition of open government, and it has served us well. Coming from that tradition, my approach is to look with skepticism on any remnant of secrecy that lingers in our governmental processes at the federal level. When the workings of government are transparent, the people understand it better and can more thoroughly and constructively participate in it. And they can more easily hold their elected leaders and other public officials accountable. I believe this principle can and should be applied to the judicial as well as the legislative and executive branches of government, while still respecting the unique role of the unelected federal judiciary.

Cameras in the courtroom is an idea whose time came some time ago. It is high time we brought it to the federal courts. I am proud to support the Grassley-Schumer bill, and I hope we can enact it this year.

Mr. SCHUMER. Mr. President, I am pleased to join Senator GRASSLEY in introducing this legislation to permit federal trials and appellate proceedings to be televised, at the discretion of the presiding judge.

Former Chief Justice Warren Burger once said of the U.S. Supreme Court, "A court which is final and unreviewable needs more careful scrutiny than any other. Unreviewable

power is the most likely to indulge itself and the least likely to engage in dispassionate self-analysis . . . In a country like ours, no public institution, or the people who operate it, can be above public debate."

I believe that these words are applicable to the entire federal judiciary. As such, I strongly support giving federal judges discretion to telecast the proceedings over which they preside. When the people of this nation watch their government in action, they come to understand how our governing institutions work and equip themselves to hold those institutions accountable for their deeds. If there are flaws in our governing institutions—including our courts—we hide them only at our peril.

The federal courts are lagging behind the state courts on the issue of televising court proceedings. Indeed, 47 out of the 50 states allow cameras in their courtrooms in at least some cases. Moreover, a two-and-a-half year pilot program in which cameras were routinely permitted in six federal district courts and two courts of appeals revealed near universal support for cameras in the courtroom.

Our bill would simply afford federal trial and appellate judges discretion to permit cameras in their courtrooms. It would not require them to do so. Furthermore, to protect the privacy of non-party witnesses, the legislation would give such witnesses the right to have their voices and images obscured during their testimony.

I eagerly anticipate Senate passage and the day when openness is the norm in our federal courtrooms, not the exception.

By Mr. CAMPBELL:

S. 988. A bill to provide that countries receiving foreign assistance be conducive to United States business; to the Committee on Foreign Relations.

Mr. CAMPBELL. Mr. President, today I introduce the International Anti-Corruption Act of 2001. This legislation addresses the growing problem of official and unofficial corruption abroad. This bill is based on S. 1514, which I introduced in the 106th Congress.

Endemic corruption around the world negatively impacts both the United States and the citizens of countries where corruption is tolerated. Overseas corruption directly hurts U.S. businesses as they endeavor to expand internationally. U.S. workers are affected when corruption closes doors to our exports. In addition, the honest and hard working citizens of countries stricken with corruption suffer as they are compelled to pay bribes to officials and other people in positions of power just to get the permits and licenses they need to get things done. The trade barrier created by corruption also limits the purchasing choices available to these people. Finally, many leading U.S. companies that are eager to invest and build factories overseas to produce consumer goods for consumption in

those countries, often wisely choose not to do so because they are not willing to deal with the corruption they would encounter. Overall, honest and hard working people living all around the world suffer as productive output is unjustly harmed.

As the Chairman of the Commission on Security and Cooperation in Europe, known as the Helsinki Commission, I am working to address the problem of corruption. In the 106th Congress, I chaired a Commission hearing that focused on the issues of bribery and corruption in the region of the Organization for Security and Cooperation in Europe, an area stretching from Vancouver to Vladivostok. During this hearing, the Commission heard that, in economic terms, rampant corruption and organized crime in this vast region has cost U.S. businesses billions of dollars in lost contracts with direct implications for our economy.

In addition, two years ago while attending the annual session of the OSCE Parliamentary Assembly in St. Petersburg, Russia, I had an opportunity to sit down with U.S. business representatives and learned, first-hand, about the many obstacles they face.

Ironically, in some of the biggest recipients of U.S. foreign assistance—countries like Russia and Ukraine—the climate is either not conducive or outright hostile to American business.

The time has come to stop providing aid as usual to those countries which line up to receive our assistance, only to turn around and fleece U.S. businesses conducting legitimate operations in these countries. For this reason, I am introducing the International Anti-Corruption Act of 2001 to require the State Department to submit a report and the President to certify by March 1 of each year that countries which are receiving U.S. foreign aid are, in fact, conducive to American businesses and investors. If a country is found to be hostile to American businesses, aid from the United States would be cut off. The certification would be specifically based on whether a country is making progress in, and is committed to, economic reform aimed at eliminating corruption.

In fact, monitoring and measuring corruption, and the corresponding overall economic freedom, is nothing new. The Heritage Foundation regularly produces a comprehensive report entitled the "Index of Economic Freedom." This year's 2001 report ranks 155 countries on the basis of 10 criteria, including "government intervention, foreign investment and black market." While corruption is not identified individually in this report, you can bet there is a strong negative correlation between overall economic freedom and corruption. The more economic freedom you have, the less corruption you will have. It should be no surprise that the countries with the lowest levels of economic freedom are the very same countries that suffer from economic stagnation year after year. We owe it

to the good people trapped in corrupt political systems to do what we can to help root out and get rid of this corruption.

Under this bill, if the President certifies that a country's business climate is not conducive for U.S. businesses, that country will, in effect, be put on probation. The country would continue to receive U.S. foreign aid through that end of the fiscal year, but aid would be cut off on the first day of the next fiscal year unless the President certifies the country is making significant progress in implementing the specified economic indicators and is committed to recognizing the involvement of U.S. business.

My bill also includes the customary waiver authority where the national interests of the United States are at stake. For countries certified as hostile to or not conducive for U.S. business, aid can continue if the President determines it is in the national security interest of the United States. However, the determination expires after six months unless the President determines its continuation is important to our national security interest.

I also included a provision which would allow aid to continue to meet urgent humanitarian needs, including food, medicine, disaster and refugee relief, to support democratic political reform and rule of law activities, and to create private sector and non-governmental organizations that are independent of government control, or to develop a free market economic system.

Instead of jumping on the bandwagon to pump millions of additional American tax dollars into countries which are hostile to U.S. businesses and investors, we should be working to root out the kinds of bribery and corruption that have an overall chilling effect on much needed foreign investment. Left unchecked, such corruption will continue to undermine fledgling democracies worldwide and further impede moves toward a genuine free market economy. I believe the legislation I am introducing today is a critical step this direction, and I urge my colleagues to support its passage.

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. 988

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 "International Anti-Corruption Act of 2001".

SEC. 2. LIMITATIONS ON FOREIGN ASSISTANCE.

(a) REPORT AND CERTIFICATION.—

(1) IN GENERAL.—Not later than March 1 of each year, the President shall submit to the appropriate committees a certification described in paragraph (2) and a report for each country that received foreign assistance under part I of the Foreign Assistance Act of 1961 during the fiscal year. The report shall

describe the extent to which each such country is making progress with respect to the following economic indicators:

(A) Implementation of comprehensive economic reform, based on market principles, private ownership, equitable treatment of foreign private investment, adoption of a legal and policy framework necessary for such reform, protection of intellectual property rights, and respect for contracts.

(B) Elimination of corrupt trade practices by private persons and government officials.

(C) Moving toward integration into the world economy.

(2) CERTIFICATION.—The certification described in this paragraph means a certification as to whether, based on the economic indicators described in subparagraphs (A) through (C) of paragraph (1), each country is—

(A) conducive to United States business;

(B) not conducive to United States business; or

(C) hostile to United States business.

(b) LIMITATIONS ON ASSISTANCE.—

(1) COUNTRIES HOSTILE TO UNITED STATES BUSINESS.—

(A) GENERAL LIMITATION.—Beginning on the date the certification described in subsection (a) is submitted—

(i) none of the funds made available for assistance under part I of the Foreign Assistance Act of 1961 (including unobligated balances of prior appropriations) may be made available for the government of a country that is certified as hostile to United States business pursuant to such subsection (a); and

(ii) the Secretary of the Treasury shall instruct the United States Executive Director of each multilateral development bank to vote against any loan or other utilization of the funds of such institution to or by any country with respect to which a certification described in clause (i) has been made.

(B) DURATION OF LIMITATIONS.—Except as provided in subsection (c), the limitations described in clauses (i) and (ii) of subparagraph (A) shall apply with respect to a country that is certified as hostile to United States business pursuant to subsection (a) until the President certifies to the appropriate committees that the country is making significant progress in implementing the economic indicators described in subsection (a)(1) and is no longer hostile to United States business.

(2) COUNTRIES NOT CONDUCIVE TO UNITED STATES BUSINESS.—

(A) PROBATIONARY PERIOD.—A country that is certified as not conducive to United States business pursuant to subsection (a), shall be considered to be on probation beginning on the date of such certification.

(B) REQUIRED IMPROVEMENT.—Unless the President certifies to the appropriate committees that the country is making significant progress in implementing the economic indicators described in subsection (a) and is committed to being conducive to United States business, beginning on the first day of the fiscal year following the fiscal year in which a country is certified as not conducive to United States business pursuant to subsection (a)(2)—

(i) none of the funds made available for assistance under part I of the Foreign Assistance Act of 1961 (including unobligated balances of prior appropriations) may be made available for the government of such country; and

(ii) the Secretary of the Treasury shall instruct the United States Executive Director of each multilateral development bank to vote against any loan or other utilization of the funds of such institution to or by any country with respect to which a certification described in subparagraph (A) has been made.

(C) DURATION OF LIMITATIONS.—Except as provided in subsection (c), the limitations described in clauses (i) and (ii) of subparagraph (B) shall apply with respect to a country that is certified as not conducive to United States business pursuant to subsection (a) until the President certifies to the appropriate committees that the country is making significant progress in implementing the economic indicators described in subsection (a)(1) and is conducive to United States business.

(c) EXCEPTIONS.—

(1) NATIONAL SECURITY INTEREST.—Subsection (b) shall not apply with respect to a country described in subsection (b) (1) or (2) if the President determines with respect to such country that making such funds available is important to the national security interest of the United States. Any such determination shall cease to be effective 6 months after being made unless the President determines that its continuation is important to the national security interest of the United States.

(2) OTHER EXCEPTIONS.—Subsection (b) shall not apply with respect to—

(A) assistance to meet urgent humanitarian needs (including providing food, medicine, disaster, and refugee relief);

(B) democratic political reform and rule of law activities;

(C) the creation of private sector and non-governmental organizations that are independent of government control; and

(D) the development of a free market economic system.

SEC. 3. TOLL-FREE NUMBER.

The Secretary of Commerce shall make available a toll-free telephone number for reporting by members of the public and United States businesses on the progress that countries receiving foreign assistance are making in implementing the economic indicators described in section 2(a)(1). The information obtained from the toll-free telephone reporting shall be included in the report required by section 2(a).

SEC. 4. DEFINITIONS.

In this Act:

(1) APPROPRIATE COMMITTEES.—The term "appropriate committees" means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) MULTILATERAL DEVELOPMENT BANK.—The term "multilateral development bank" means the International Bank for Reconstruction and Development, the International Development Association, and the European Bank for Reconstruction and Development.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 45—EXPRESSING THE SENSE OF CONGRESS THAT THE HUMANE METHODS OF SLAUGHTER ACT OF 1958 SHOULD BE FULLY ENFORCED SO AS TO PREVENT NEEDLESS SUFFERING OF ANIMALS

Mr. FITZGERALD (for himself, Mr. LEAHY, and Mr. AKAKA) submitted the following concurrent resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

S. CON. RES. 45

Whereas public demand for passage of Public Law 85-765 (commonly known as the "Humane Methods of Slaughter Act of 1958") (7