

S. 1012. A bill to ensure that children at highest risk for asthma, vision, hearing, and other health problems are identified and treated; to the Committee on Finance.

• Mr. DURDIN. Mr. President, I rise today to introduce the Healthy Children Learn Act with my colleague from Maine, Senator COLLINS. This legislation is focused on eliminating some bureaucratic barriers that make it more difficult for schools to provide their students with health care services, if they so choose.

Many schools have found that the health of a child can significantly affect his or her ability to learn. To enhance children's learning ability and to increase the well-being of their students, these schools sometimes choose to provide health care service including health care screenings.

One example of a disease that significantly affects children's education is asthma. Asthma is the single greatest reason for school absenteeism today. Over five million children in America suffer from asthma. 49 percent of children with asthma missed school in the last year and 48 percent of children with asthma are limited in sports and recreation. Lack of physical activity in turn can lead to childhood obesity with its concomitant health care problems.

"America is in the middle of an asthma epidemic—an epidemic that is getting worse, not better." So says the PEW Environmental Health Commission in its most recent report on asthma. The prevalence of asthma continues to rise at astounding rates, in every region of the country and across all demographic groups, whether measured by age, race or sex.

My home State of Illinois has some of the highest rates of childhood asthma in the country. Unfortunately, Chicago has the highest childhood asthma-related death rate in the Nation. Over 60 percent of childhood admissions to the emergency room in Chicago are for asthma. This disease exacts a very significant toll on children in my State.

For the next 15 minutes, imagine breathing through a tiny straw the size of a coffee stirrer, never getting enough air. Now imagine suffering through the process three to six times a day. This is asthma. Can a child really concentrate on learning, when he or she is gasping for air?

Due to the very high rates of asthma in Chicago and the effects it has on absenteeism and children's ability to learn when at school, the Chicago Public Schools, (CPS), have instituted a new asthma screening program. At the beginning of this program, they estimated that at least 40,000 undiagnosed or under-diagnosed cases of asthma existed among their students. The school system developed an asthma manual to provide a standard plan of care for all students with asthma. They provided citywide nurse training so as to develop a uniform, high standard for approaching students with asthma and their parents and high-quality edu-

cation about the environmental triggers for asthma and how to lessen them, together with education on how to use asthma inhalers. In 1999, they identified 12,374 cases of asthma. CPS continues to monitor and evaluate this program. They have also partnered with other organizations such as the American Red Cross Asthma Program, the University of Chicago and the Chicago Department of Public Health Asthma Programs. CPS has also developed parent tutoring programs and has linked asthmatic children with primary health care providers for appropriate follow-up.

All of these efforts are extremely important but they are resource intensive. While the majority of the children in the Chicago Public Schools system are eligible for Medicaid or the State Children's Health Insurance Program, the payment rules for Medicaid make it more difficult for CPS to get reimbursed for health screenings. These barriers should be removed. Schools that make the extra effort to provide their students health care services should be adequately reimbursed. When they provide Medicaid-eligible children with Medicaid-covered services, they should receive appropriate reimbursement for those services. Likewise for the S-CHIP program reimbursement should be available for covered services for children enrolled or eligible for the program.

This legislation goes further and provides for a \$10 million grant program for school districts such as CPS to apply for funds for asthma screening for those children who are not eligible for either S-CHIP or Medicaid. The grants would be targeted to those districts that have the highest prevalence or deaths associated with asthma. The legislation addresses a barrier to children receiving vital health screenings in schools.

CPS has also found that children's ability to learn is affected by impaired vision and hearing. Children with vision deficits are far more likely to fail academically. In 1998, CPS found that children who were retained failed their school-based vision screening at a rate 50 percent higher than children who were not failing. Likewise, children who have difficulty hearing struggle with language development, social processes and communication. This can seriously impair all aspects of the educational process. For example, children in Grade 1 with a 25 decibel hearing loss have a reading and grade equivalence of 2.0 compared to children without such a loss who on average score 2.3 on the same test. Through these programs, CPS has provided over 5,000 free eye exams, and 4,000 free pairs of glasses have been dispensed. They currently are reimbursed less than 40 percent of the cost of the vision and hearing screenings.

To address some of these funding shortfalls, this legislation creates a \$10 million grant program for vision and hearing screening and clarifies Med-

icaid payment rules so that schools can be reimbursed when they provide a Medicaid covered service to a Medicaid child.

No child should have his or her education threatened by the lack of effective screening to diagnose these health problems. In each case, treatments or corrective devices are available to help children and we should see to it that the children receive them where necessary. The Healthy Children Learn Act will help children get the health care services they need so that they can get the educational opportunities they deserve.●

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

S.J. Res. 16. A joint resolution approving the extension of nondiscriminatory treatment to the products of the Socialist Republic of Vietnam; to the Committee on Finance.

Mr. DASCHLE. Mr. President, today I am pleased to introduce legislation that would implement a long-awaited bilateral trade agreement with Vietnam. This agreement marks another step in the long road toward normalizing relations between our two nations. When we pass this and other important trade legislation, we send the signal that we, as a Nation, are committed to engaging with countries around the globe by using our mutual interests as a foundation for working through our differences. By fully implementing this agreement, Vietnam will also send a clear message that it is interested in continuing, and completing, a process of reform and modernization of its economy and institutions.

The Clinton administration signed the bilateral agreement with Vietnam on July 13, 2000, after nearly four years of meticulous negotiations. Under terms of the agreement, Vietnam will reduce tariffs on approximately 250 products, about four-fifths of which are agricultural products. My own State of South Dakota will be among the beneficiaries of Vietnam's market opening commitments. As the second-largest producer of sunflower seeds, our farmers will no doubt benefit from the slash in duty on this product from the current level of 30 percent to 10 percent. Exporters of soybeans, furthermore, will see the rates drop by half, to only 5 percent.

In addition to the significant reduction in tariffs on agricultural and industrial products, the agreement opens Vietnam to American financial, banking and telecommunications services. While the agreement does not make Vietnam a member of the World Trade Organization, WTO, a number of its provisions bring Vietnam one step closer to compliance with WTO accords. Specifically, Vietnam has committed to abide by WTO standards regarding customs procedures, import licensing requirements and phytosanitary measures. In addition, Vietnam has also agreed to follow WTO agreements on

intellectual property rights, which protect American copyrights, patents and trademarks. The same can be said for regulations involving American investment there. Hopefully, passage of this bilateral agreement will add momentum to Vietnam's bid for full membership in the global trading body.

The United States, in return, has promised to grant Vietnam normal trade relations, NTR. The practical effect of this action would be that products imported from Vietnam would now be subject to the same level of tariffs as products from almost every other country in the world. Vietnamese companies would no longer face significant tariff barriers to our market. The agreement does include, however, a safeguard provision to prevent a surge in Vietnamese imports from injuring our own domestic industries.

The implementing resolution introduced today would fulfill our obligation to grant Vietnam normal trade relations. Under this legislation, however, Vietnam's trading status would still be subject to annual Congressional review. The legislation is in no way a permanent extension of such treatment. This is due to the so-called Jackson-Vanik provisions of the Trade Act of 1974, which allow for an annual review by Congress of an extension of normal trade relations to any non-market economy country, such as Vietnam.

Specifically, the Jackson-Vanik amendment mandates that a non-market economy country's access to American markets is conditioned on their completion of a bilateral commercial agreement with the United States and their policies on freedom of emigration. According to the statute, a non-market economy country like Vietnam must sign an agreement with the United States extending nondiscriminatory treatment to our products. In other words, they must grant normal trade relations to the United States. Access to our markets is further contingent on their policies on freedom of emigration. If the President determines that such policies meet certain standards, or that a waiver of the Jackson-Vanik provisions would, in fact, encourage further liberalization of their emigration policies, only then can the United States grant these countries normal trade relations.

President Clinton first waived Jackson-Vanik provisions with respect to Vietnam in 1998 on the basis that such action would promote further liberalization of its emigration policies. The waiver has been extended every year since then. But since Vietnam does not currently have a bilateral agreement with the United States, and therefore does not receive normal trade relations, the waiver simply allows for the U.S. Overseas Private Investment Corporation, OPIC, and the U.S. Export-Import Bank to support U.S. businesses exporting to and/or operating there. The legislation I am introducing today would grant normal trade relations to

Vietnam, meeting the second requirement of Jackson-Vanik, and therefore allow the market opening agreement to take effect.

The Presidential waiver of Vietnam's treatment under Jackson-Vanik has never been disapproved by Congress. In fact, support for the waiver has grown substantially in both chambers. Last year, for instance, 330 members of the House voted in favor of the waiver's extension and a bill disapproving the President's waiver was voted down by 94 Senators. I am confident that such action indicates strong support by Members of Congress for passage of this agreement.

I am encouraged that President Bush has sent the agreement to Congress for final approval. Indeed, last month, I signed a letter urging him to do so as soon as possible. This is an important agreement, and today we are taking the first step towards swift Senate consideration.

AMENDMENTS SUBMITTED AND PROPOSED

SA 795. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill S. 723, to amend the Public Health Service Act to provide for human embryonic stem cell generation and research; which was referred to the Committee on Health, Education, Labor, and Pensions.

SA 796. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill S. 723, supra; which was referred to the Committee on Health, Education, Labor, and Pensions.

TEXT OF AMENDMENTS

SA 795. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill S. 723, to amend the Public Health Service Act to provide for human embryonic stem cell generation and research; which was referred to the Committee on Health, Education, Labor, and Pensions; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON MIXING HUMAN AND ANIMAL GAMETES.

(a) **DEFINITIONS.**—In this section:
(1) **GAMETE.**—The term "gamete" means a haploid germ cell that is an egg or a sperm.
(2) **SOMATIC CELL.**—The term "somatic cell" means a diploid cell whose nucleus contains the full set of chromosomes of a human or an animal.

(b) **PROHIBITION.**—It shall be unlawful for any person to knowingly attempt to create a human-animal hybrid by—

(1) combine a human gamete and an animal gamete; or

(2) conducting nuclear transfer cloning using a human egg or a human somatic cell nucleus.

(c) **SANCTIONS.**—

(1) **IN GENERAL.**—Any person who violates subsection (b) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 10 years, or both.

(2) **CIVIL PENALTIES.**—The Secretary of Health and Human Services shall promulgate regulations providing for the application of civil penalties to persons who violate subsection (b).

SA 796. Mr. BROWNBACK submitted an amendment intended to be proposed

by him to the bill S. 723, to amend the Public Health Service Act to provide for human embryonic stem cell generation and research; which was referred to the Committee on Health, Education, Labor, and Pensions; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON EXPORTATION OF HUMAN EMBRYOS.

The Secretary of Commerce shall prohibit the export (as such term is defined in section 16 of the Export Administration Act of 1979 (50 U.S.C. App 2415)) from the United States of any human embryo or part thereof.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Tuesday, June 19, 2001, at 9:30 a.m., in room SD-106 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of the hearing is to receive testimony on S. 764, a bill to direct the Federal Energy Regulatory Commission to impose just and reasonable load-differentiated demand rates or cost-of-service based rates on sales by public utilities of electric energy at wholesale in the western energy market, and for other purposes; and sections 508-510, relating to wholesale electricity rates in the western energy market, natural gas rates in California, and the sale price of bundled natural gas transactions, of S. 597, the Comprehensive and Balanced Energy Policy Act of 2001.

Those wishing to submit written statements on these bills should address them to the Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C. 20510-6150.

For further information, please contact Leon Lowery at (202) 224-4103.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Wednesday, June 20, 2001, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of the hearing is to consider the nominations of: Patricia Lynn Scarlett to be an Assistant Secretary of the Interior (for Policy, Management and Budget); William Gerry Myers III to be the Solicitor of the Department of the Interior; and Bennett William Raley to be an Assistant Secretary of the Interior (for Water and Science).

Those wishing to submit written statements on a nomination should address them to the Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C. 20510-6150.

For further information, please contact Leon Lowery at (202) 224-4103.

PRIVILEGE OF THE FLOOR

Ms. LANDRIEU. Mr. President, I ask unanimous consent that Maria Purdy be granted the privilege of the floor during the debate on amendment No. 475.

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

ORDERS FOR TUESDAY, JUNE 12, 2001

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. Tuesday, June 12. I further ask unanimous consent that on Tuesday, immediately following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be

reserved for their use later in the day, if necessary, and the Senate resume consideration of S. 1, the education authorization bill. I further ask unanimous consent that the Senate recess from 12:30 p.m. to 2:15 p.m. for the weekly party conferences.

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

PROGRAM

Mr. REID. Madam President, on Tuesday, the Senate will convene at 9:30 a.m. and resume consideration of the education authorization bill. The Senate will consider immediately the Gregg amendment regarding vouchers under a 4-hour time agreement. Following disposition of the Gregg amendment, the Senate will consider the Carper amendment regarding public school choice under a 2-hour time agreement. Additional rollcall votes are expected tomorrow as the Senate works to complete action on the education bill this week.

I have been authorized to state on behalf of Senator DASCHLE that we are going to finish the education bill this week, if it takes working Friday, Saturday, and even into Sunday. We want to get started. We have very important things to do next week. This important legislation, which we have been able to approach on a bipartisan basis up to this point, is going to be completed, and Senator DASCHLE wanted me to underscore that.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:42 p.m., adjourned until 9:30 a.m. Tuesday, June 12, 2001.