

could also form functional heart and skeletal muscle. The evidence shows the stem cells home to sites of tissue damage.

In other words, these stem cells can go to the place where the damage is and start to reproduce and build up the damaged material.

This was a May 4, 2001, study that was just released on this pluripotent nature of adult stem cells. Adult stem cells can repair cardiac damage.

Researchers at Baylor College of Medicine found adult bone marrow stem cells could form functional heart muscle and blood vessels in mice which had heart damage. They note their results demonstrate the potential of adult bone marrow stem cells for heart repair and suggest a therapeutic strategy that eventually could benefit patients with heart attacks. The results also suggest that circulating stem cells may naturally contribute to repair of tissues.

Also, scientists at Duke University Medical Center showed that adult stem cells from a liver could transform into heart tissue when injected into mice. They say, "Recent evidence suggests that adult-derived stem cells, like their embryonic counterparts, are pluripotent. . . ." They have a multitude of options of this stem cell conforming into bone, heart, and other types of tissue, and "these results demonstrate adult liver-derived stem cells respond to the tissue microenvironment. . . ."

In other words, what is the environment that the tissue is placed into, and that is what it is responding to and developing.

Researchers at New York Medical College report results that show regeneration of heart muscle is possible after heart attack, possibly from heart adult stem cell.

I have several others I want to read, but one in particular I think is interesting is that scientists have found stem cells in our fat. So now we can take fat stem cells, of which we do not have a shortage in America, and those adult stem cells can be derived and made into other types of cells and grown.

A new report shows umbilical cord blood can provide effective treatment of various blood disorders in adults. It had previously been assumed that there were too few stem cells in cord blood to treat adults and only children were treated.

The results of this study show that cord blood stem cells can proliferate extensively and provide sufficient numbers of cells for adult treatments.

My point is we do not have to destroy another life to have the great success of stem cell work. We can take it out of our own bodies. We can take it out of our own fat and be able to grow these things, and we do not need to go down the route of what is called therapeutic cloning, to which destructive embryonic stem-cell research is going to lead.

In the future, people are going to say they want embryonic stem cells, but what they really want is to be able to clone you, to clone another individual, take that DNA material from you, from me, from somebody in this room, destroy a young human embryo, put the DNA material in there, start this to reproducing for a while, kill that embryo, take the stem cells out, and work with those because they are exact copies of the DNA from us. We do not want to open this door of going the route of cloning, and that is where this is leading.

Mr. President, that is why today I have spoken out on this topic. We should not be going this route. We do not need to go this route. It is illegal for us currently to go this route. I ask that we stop. This is a view that I believe the President shares. In fact, in a letter written to the Culture of Life Foundation, President Bush states:

I oppose Federal funding for stem-cell research that involves destroying living human embryos.

I ask unanimous consent that the President's letter be printed in the RECORD.

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

THE WHITE HOUSE,
Washington, DC, May 18, 2001.

MR. ROBERT A. BEST,
President, *The Culture of Life Foundation, Inc.*,
Washington, DC.

DEAR MR. BEST: Thank you for your letter about the important issue of stem cell research.

I share your concern and believe that we can and must do more to find the causes and cures of diseases that affect the lives of too many Americans.

That's why I have proposed to double funding for National Institutes of Health medical research on important diseases that affect so many American families, such as breast cancer. My proposal represents the largest funding increase in the Institutes' history. I also have called for an extension of the Research and Development tax credit to help encourage companies to continue research into life-saving treatments.

I oppose Federal funding for stem-cell research that involves destroying living human embryos. I support innovative medical research on life-threatening and debilitating diseases, including promising research on stem cells from adult tissue.

We have the technology to find these cures, and I want to make sure that the resources are available as well. Only through a greater understanding through research will we be able to find cures that will bring new hope and health to millions of Americans.

Sincerely,

GEORGE W. BUSH.

Mr. BROWNBACK. Mr. President, I fully anticipate that President Bush will settle the issue of Federal funding of embryonic stem cell research within the context of the existing embryo research ban in the very near future, and I hope we take up the issue of cloning and ban it. It is a place we should not and do not need to go. I applaud the President in advance for his defense, for his clear statement on cloning, as well, and his defense of the most innocent human life.

I thank the Chair. I yield the floor.

The ACTING PRESIDENT pro tempore. The time of the Senator from Kansas has expired.

Under previous order, the time until 11:30 a.m. is under the control of the Senator from Illinois, Mr. DURBIN, or his designee. The Senator from South Carolina, Mr. HOLLINGS, controls 10 minutes of that time.

BETTER EDUCATION FOR STUDENTS AND TEACHERS ACT

AMENDMENT NO. 805

Mr. DURBIN. Mr. President, I ask unanimous consent, notwithstanding passage of H.R. 1, that amendment No. 805, a Torricelli amendment, be agreed to and the motion to reconsider be laid upon the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment (No. 805) was agreed to, as follows:

(Purpose: To require local educational agencies and schools to implement school pest management plans and to provide parents, guardians, and staff members with notice of the use of pesticides in schools)

At the appropriate place insert the following:

SEC. 9. PEST MANAGEMENT IN SCHOOLS.

(a) SHORT TITLE.—This section may be cited as the "School Environment Protection Act of 2001".

(b) PEST MANAGEMENT.—The Federal Insecticide, Fungicide, and Rodenticide Act is amended—

(1) by redesignating sections 33 and 34 (7 U.S.C. 136x, 136y) as sections 34 and 35, respectively; and

(2) by inserting after section 32 (7 U.S.C. 136w–7) the following:

"SEC. 33. PEST MANAGEMENT IN SCHOOLS.

"(a) DEFINITIONS.—In this section:

"(1) BAIT.—The term 'bait' means a pesticide that contains an ingredient that serves as a feeding stimulant, odor, pheromone, or other attractant for a target pest.

"(2) CONTACT PERSON.—The term 'contact person' means an individual who is—

"(A) knowledgeable about school pest management plans; and

"(B) designated by a local educational agency to carry out implementation of the school pest management plan of a school.

"(3) EMERGENCY.—The term 'emergency' means an urgent need to mitigate or eliminate a pest that threatens the health or safety of a student or staff member.

"(4) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' has the meaning given the term in section 3 of the Elementary and Secondary Education Act of 1965.

"(5) SCHOOL.—

"(A) IN GENERAL.—The term 'school' means a public—

"(i) elementary school (as defined in section 3 of the Elementary and Secondary Education Act of 1965);

"(ii) secondary school (as defined in section 3 of the Act);

"(iii) kindergarten or nursery school that is part of an elementary school or secondary school; or

"(iv) tribally-funded school.

"(B) INCLUSIONS.—The term 'school' includes any school building, and any area outside of a school building (including a lawn,

playground, sports field, and any other property or facility), that is controlled, managed, or owned by the school or school district.

“(6) SCHOOL PEST MANAGEMENT PLAN.—The term ‘school pest management plan’ means a pest management plan developed under subsection (b).

“(7) STAFF MEMBER.—

“(A) IN GENERAL.—The term ‘staff member’ means a person employed at a school or local educational agency.

“(B) EXCLUSIONS.—The term ‘staff member’ does not include—

“(i) a person hired by a school, local educational agency, or State to apply a pesticide; or

“(ii) a person assisting in the application of a pesticide.

“(8) STATE AGENCY.—The term ‘State agency’ means the an agency of a State, or an agency of an Indian tribe or tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), that exercises primary jurisdiction over matters relating to pesticide regulation.

“(9) UNIVERSAL NOTIFICATION.—The term ‘universal notification’ means notice provided by a local educational agency or school to—

“(A) parents, legal guardians, or other persons with legal standing as parents of each child attending the school; and

“(B) staff members of the school.

“(b) SCHOOL PEST MANAGEMENT PLANS.—

“(1) STATE PLANS.—

“(A) GUIDANCE.—As soon as practicable (but not later than 180 days) after the date of enactment of the School Environment Protection Act of 2001, the Administrator shall develop, in accordance with this section—

“(i) guidance for a school pest management plan; and

“(ii) a sample school pest management plan.

“(B) PLAN.—As soon as practicable (but not later than 1 year) after the date of enactment of the School Environment Protection Act of 2001, each State agency shall develop and submit to the Administrator for approval, as part of the State cooperative agreement under section 23, a school pest management plan for local educational agencies in the State.

“(C) COMPONENTS.—A school pest management plan developed under subparagraph (B) shall, at a minimum—

“(i) implement a system that—

“(I) eliminates or mitigates health risks, or economic or aesthetic damage, caused by pests;

“(II) employs—

“(aa) integrated methods;

“(bb) site or pest inspection;

“(cc) pest population monitoring; and

“(dd) an evaluation of the need for pest management; and

“(III) is developed taking into consideration pest management alternatives (including sanitation, structural repair, and mechanical, biological, cultural, and pesticide strategies) that minimize health and environmental risks;

“(ii) require, for pesticide applications at the school, universal notification to be provided—

“(I) at the beginning of the school year;

“(II) at the midpoint of the school year; and

“(III) at the beginning of any summer session, as determined by the school;

“(iii) establish a registry of staff members of a school, and of parents, legal guardians, or other persons with legal standing as parents of each child attending the school, that have requested to be notified in advance of any pesticide application at the school;

“(iv) establish guidelines that are consistent with the definition of a school pest management plan under subsection (a);

“(v) require that each local educational agency use a certified applicator or a person authorized by the State agency to implement the school pest management plans;

“(vi) be consistent with the State cooperative agreement under section 23; and

“(vii) require the posting of signs in accordance with paragraph (4)(G).

“(D) APPROVAL BY ADMINISTRATOR.—Not later than 90 days after receiving a school pest management plan submitted by a State agency under subparagraph (B), the Administrator shall—

“(i) determine whether the school pest management plan, at a minimum, meets the requirements of subparagraph (C); and

“(ii)(I) if the Administrator determines that the school pest management plan meets the requirements, approve the school pest management plan as part of the State cooperative agreement; or

“(II) if the Administrator determines that the school pest management plan does not meet the requirements—

“(aa) disapprove the school pest management plan;

“(bb) provide the State agency with recommendations for and assistance in revising the school pest management plan to meet the requirements; and

“(cc) provide a 90-day deadline by which the State agency shall resubmit the revised school pest management plan to obtain approval of the plan, in accordance with the State cooperative agreement.

“(E) DISTRIBUTION OF STATE PLAN TO SCHOOLS.—On approval of the school pest management plan of a State agency, the State agency shall make the school pest management plan available to each local educational agency in the State.

“(F) EXCEPTION FOR EXISTING STATE PLANS.—If, on the date of enactment of the School Environment Protection Act of 2001, a State has implemented a school pest management plan that, at a minimum, meets the requirements under subparagraph (C) (as determined by the Administrator), the State agency may maintain the school pest management plan and shall not be required to develop a new school pest management plan under subparagraph (B).

“(2) IMPLEMENTATION BY LOCAL EDUCATIONAL AGENCIES.—

“(A) IN GENERAL.—Not later than 1 year after the date on which a local educational agency receives a copy of a school pest management plan of a State agency under paragraph (1)(E), the local educational agency shall develop and implement in each of the schools under the jurisdiction of the local educational agency a school pest management plan that meets the standards and requirements under the school pest management plan of the State agency, as determined by the Administrator.

“(B) EXCEPTION FOR EXISTING PLANS.—If, on the date of enactment of the School Environment Protection Act of 2001, a State maintains a school pest management plan that, at a minimum, meets the standards and criteria established under this section (as determined by the Administrator), and a local educational agency in the State has implemented the State school pest management plan, the local educational agency may maintain the school pest management plan and shall not be required to develop and implement a new school pest management plan under subparagraph (A).

“(C) APPLICATION OF PESTICIDES AT SCHOOLS.—A school pest management plan shall prohibit—

“(i) the application of a pesticide to any area or room at a school while the area or

room is occupied or in use by students or staff members (except students and staff participating in regular or vocational agricultural instruction involving the use of pesticides); and

“(ii) the use by students or staff members of an area or room treated with a pesticide by broadcast spraying, baseboard spraying, tenting, or fogging during—

“(I) the period specified on the label of the pesticide during which a treated area or room should remain unoccupied; or

“(II) if there is no period specified on the label, the 24-hour period beginning at the end of the treatment.

“(3) CONTACT PERSON.—

“(A) IN GENERAL.—Each local educational agency shall designate a contact person to carry out a school pest management plan in schools under the jurisdiction of the local educational agency.

“(B) DUTIES.—The contact person of a local educational agency shall—

“(i) maintain information about the scheduling of pesticide applications in each school under the jurisdiction of the local educational agency;

“(ii) act as a contact for inquiries, and disseminate information requested by parents or guardians, about the school pest management plan;

“(iii) maintain and make available to parents, legal guardians, or other persons with legal standing as parents of each child attending the school, before and during the notice period and after application—

“(I) copies of material safety data sheet for pesticides applied at the school, or copies of material safety data sheets for end-use dilutions of pesticides applied at the school, if data sheets are available;

“(II) labels and fact sheets approved by the Administrator for all pesticides that may be used by the local educational agency; and

“(III) any final official information related to the pesticide, as provided to the local educational agency by the State agency; and

“(iv) for each school, maintain all pesticide use data for each pesticide used at the school (other than antimicrobial pesticides (as defined in clauses (i) and (ii) of section 2(mm)(1)(A))) for at least 3 years after the date on which the pesticide is applied; and

“(v) make that data available for inspection on request by any person.

“(4) NOTIFICATION.—

“(A) UNIVERSAL NOTIFICATION.—At the beginning of each school year, at the midpoint of each school year, and at the beginning of any summer session (as determined by the school), a local educational agency or school shall provide to staff members of a school, and to parents, legal guardians, and other persons with legal standing as parents of students enrolled at the school, a notice describing the school pest management plan that includes—

“(i) a summary of the requirements and procedures under the school pest management plan;

“(ii) a description of any potential pest problems that the school may experience (including a description of the procedures that may be used to address those problems);

“(iii) the address, telephone number, and website address of the Office of Pesticide Programs of the Environmental Protection Agency; and

“(iv) the following statement (including information to be supplied by the school as indicated in brackets):

‘As part of a school pest management plan, [] may use pesticides to control pests. The Environmental Protection Agency (EPA) and [] registers pesticides for that use. EPA continues to examine registered pesticides to determine that use of

the pesticides in accordance with instructions printed on the label does not pose unreasonable risks to human health and the environment. Nevertheless, EPA cannot guarantee that registered pesticides do not pose risks, and unnecessary exposure to pesticides should be avoided. Based in part on recommendations of a 1993 study by the National Academy of Sciences that reviewed registered pesticides and their potential to cause unreasonable adverse effects on human health, particularly on the health of pregnant women, infants, and children, Congress enacted the Food Quality Protection Act of 1996. That law requires EPA to reevaluate all registered pesticides and new pesticides to measure their safety, taking into account the unique exposures and sensitivity that pregnant women, infants, and children may have to pesticides. EPA review under that law is ongoing. You may request to be notified at least 24 hours in advance of pesticide applications to be made and receive information about the applications by registering with the school. Certain pesticides used by the school (including baits, pastes, and gels) are exempt from notification requirements. If you would like more information concerning any pesticide application or any product used at the school, contact [].

“(B) NOTIFICATION TO PERSONS ON REGISTRY.—

“(i) IN GENERAL.—Except as provided in clause (ii) and paragraph (5)—

“(I) notice of an upcoming pesticide application at a school shall be provided to each person on the registry of the school not later than 24 hours before the end of the last business day during which the school is in session that precedes the day on which the application is to be made; and

“(II) the application of a pesticide for which a notice is given under subclause (I) shall not commence before the end of the business day.

“(ii) NOTIFICATION CONCERNING PESTICIDES USED IN CURRICULA.—If pesticides are used as part of a regular vocational agricultural curriculum of the school, a notice containing the information described in subclauses (I), (IV), (VI), and (VII) of clause (iii) for all pesticides that may be used as a part of that curriculum shall be provided to persons on the registry only once at the beginning of each academic term of the school.

“(iii) CONTENTS OF NOTICE.—A notice under clause (i) shall contain—

“(I) the trade name, common name (if applicable), and Environmental Protection Agency registration number of each pesticide to be applied;

“(II) a description of each location at the school at which a pesticide is to be applied;

“(III) a description of the date and time of application, except that, in the case of an outdoor pesticide application, a notice shall include at least 3 dates, in chronological order, on which the outdoor pesticide application may take place if the preceding date is canceled;

“(IV) all information supplied to the local educational agency by the State agency, including a description of potentially acute and chronic effects that may result from exposure to each pesticide to be applied based on—

“(aa) a description of potentially acute and chronic effects that may result from exposure to each pesticide to be applied, as stated on the label of the pesticide approved by the Administrator;

“(bb) information derived from the material safety data sheet for the end-use dilution of the pesticide to be applied (if available) or the material safety data sheets; and

“(cc) final, official information related to the pesticide prepared by the Administrator

and provided to the local educational agency by the State agency;

“(V) a description of the purpose of the application of the pesticide;

“(VI) the address, telephone number, and website address of the Office of Pesticide Programs of the Environmental Protection Agency; and

“(VII) the statement described in subparagraph (A)(iv) (other than the ninth sentence of that statement).

“(C) NOTIFICATION AND POSTING EXEMPTION.—A notice or posting of a sign under subparagraph (A), (B), or (G) shall not be required for the application at a school of—

“(i) an antimicrobial pesticide;

“(ii) a bait, gel, or paste that is placed—

“(I) out of reach of children or in an area that is not accessible to children; or

“(II) in a tamper-resistant or child-resistant container or station; and

“(iii) any pesticide that, as of the date of enactment of the School Environment Protection Act of 2001, is exempt from the requirements of this Act under section 25(b) (including regulations promulgated at section 152 of title 40, Code of Federal Regulations (or any successor regulation)).

“(D) NEW STAFF MEMBERS AND STUDENTS.—After the beginning of each school year, a local educational agency or school within a local educational agency shall provide each notice required under subparagraph (A) to—

“(i) each new staff member who is employed during the school year; and

“(ii) the parent or guardian of each new student enrolled during the school year.

“(E) METHOD OF NOTIFICATION.—A local educational agency or school may provide a notice under this subsection, using information described in paragraph (4), in the form of—

“(i) a written notice sent home with the students and provided to staff members;

“(ii) a telephone call;

“(iii) direct contact;

“(iv) a written notice mailed at least 1 week before the application; or

“(v) a notice delivered electronically (such as through electronic mail or facsimile).

“(F) REISSUANCE.—If the date of the application of the pesticide needs to be extended beyond the period required for notice under this paragraph, the school shall issue a notice containing only the new date and location of application.

“(G) POSTING OF SIGNS.—

“(i) IN GENERAL.—Except as provided in paragraph (5)—

“(I) a school shall post a sign not later than the last business day during which school is in session preceding the date of application of a pesticide at the school; and

“(II) the application for which a sign is posted under subclause (I) shall not commence before the time that is 24 hours after the end of the business day on which the sign is posted.

“(ii) LOCATION.—A sign shall be posted under clause (i)—

“(I) at a central location noticeable to individuals entering the building; and

“(II) at the proposed site of application.

“(iii) ADMINISTRATION.—A sign required to be posted under clause (i) shall—

“(I) remain posted for at least 24 hours after the end of the application;

“(II) be—

“(aa) at least 8½ inches by 11 inches for signs posted inside the school; and

“(bb) at least 4 inches by 5 inches for signs posted outside the school; and

“(III) contain—

“(aa) information about the pest problem for which the application is necessary;

“(bb) the name of each pesticide to be used;

“(cc) the date of application;

“(dd) the name and telephone number of the designated contact person; and

“(ee) the statement contained in subparagraph (A)(iv).

“(iv) OUTDOOR PESTICIDE APPLICATIONS.—

“(I) IN GENERAL.—In the case of an outdoor pesticide application at a school, each sign shall include at least 3 dates, in chronological order, on which the outdoor pesticide application may take place if the preceding date is canceled.

“(II) DURATION OF POSTING.—A sign described in subclause (I) shall be posted after an outdoor pesticide application in accordance with clauses (ii) and (iii).

“(5) EMERGENCIES.—

“(A) IN GENERAL.—A school may apply a pesticide at the school without complying with this part in an emergency, subject to subparagraph (B).

“(B) SUBSEQUENT NOTIFICATION OF PARENTS, GUARDIANS, AND STAFF MEMBERS.—Not later than the earlier of the time that is 24 hours after a school applies a pesticide under this paragraph or on the morning of the next business day, the school shall provide to each parent or guardian of a student listed on the registry, a staff member listed on the registry, and the designated contact person, notice of the application of the pesticide in an emergency that includes—

“(i) the information required for a notice under paragraph (4)(G); and

“(ii) a description of the problem and the factors that required the application of the pesticide to avoid a threat to the health or safety of a student or staff member.

“(C) METHOD OF NOTIFICATION.—The school may provide the notice required by paragraph (B) by any method of notification described in paragraph (4)(E).

“(D) POSTING OF SIGNS.—Immediately after the application of a pesticide under this paragraph, a school shall post a sign warning of the pesticide application in accordance with clauses (ii) through (iv) of paragraph (4)(B).

“(c) RELATIONSHIP TO STATE AND LOCAL REQUIREMENTS.—Nothing in this section (including regulations promulgated under this section)—

“(1) precludes a State or political subdivision of a State from imposing on local educational agencies and schools any requirement under State or local law (including regulations) that is more stringent than the requirements imposed under this section; or

“(2) establishes any exception under, or affects in any other way, section 24(b).

“(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.”.

(c) CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. prec. 121) is amended by striking the items relating to sections 30 through 32 and inserting the following:

“Sec. 30. Minimum requirements for training of maintenance applicators and service technicians.

“Sec. 31. Environmental Protection Agency minor use program.

“Sec. 32. Department of Agriculture minor use program.

“(a) In general.

“(b)(1) Minor use pesticide data.

“(2) Minor Use Pesticide Data Revolving Fund.

“Sec. 33. Pest management in schools.

“(a) Definitions.

“(1) Bait.

“(2) Contact person.

“(3) Emergency.

“(4) Local educational agency.

“(5) School.

“(6) Staff member.

“(7) State agency.

“(8) Universal notification.

“(b) School pest management plans.

“(1) State plans.

“(2) Implementation by local educational agencies.

“(3) Contact person.

“(4) Notification.

“(5) Emergencies.

“(c) Relationship to State and local requirements.

“(d) Authorization of appropriations.

“Sec. 34. Severability.

“Sec. 35. Authorization of appropriations.”.

(d) EFFECTIVE DATE.—This section and the amendments made by this section take effect on October 1, 2001.

Mr. TORRICELLI. Mr. President, I rise today to announce a landmark agreement regarding the use of pesticides in our Nation's schools. This agreement marks the first time that the Federal Government will institute regulations on pesticides and schoolchildren. The Senate unanimously accepted my amendment to the Elementary and Secondary Education Act, which passed in the Senate late last week. For the first time, parents in all fifty States will be notified when pesticides are used in schools.

This agreement was reached after seven weeks of negotiations between my staff, environmental health groups, a broad coalition of pesticide, agriculture, and education groups. It was developed with these various groups to achieve a balance between the need to protect children from pests and addressing the concerns about the safety of pesticide applications.

A recent study by the General Accounting Office found that no credible statistics exist regarding the amount of pesticides used in public schools and no information exists about students' exposure to pesticides or their health impacts. We can and must do a better job of providing accurate information to parents and staff at our Nation's schools regarding pesticide use and the potential effects on our children.

This amendment requires local educational agencies and schools to implement a school pest management plan. This plan must incorporate pest control methods that minimize health and environmental risks in school and around schools. This amendment does not ban any pesticide. It simply states that the area of the pesticide application must remain unoccupied during the treatment, and for some pesticides, the area must remain unoccupied for up to 24 hours after the treatment.

Perhaps the most important component of this amendment is the requirement for schools to provide universal notification to parents three times throughout the year. The universal notice must include a summary of the

school pest management plan, a statement about pesticides, information on how to sign up to be notified prior to all pesticide applications, notice of pesticides that are exempt from notification requirements, and information on who to contact for additional information regarding pesticide applications at the school. The amendment also gives parents the option of being notified at least 24 hours in advance of every pesticide application. Between universal notification and this additional notice option, parents will be armed with the knowledge they need to protect their children from potentially harmful pesticides when they send them to school. It is an enormous and hard fought victory for the health of our children.

I would like to thank my colleagues, Senators BOXER and REID for joining me in introducing this important amendment. Their strong support for the protection of our children against exposure to pesticides was critical to the passage of this amendment. They have both been leaders on this issue for years, and I look forward to their continued advocacy on behalf of our Nation's children.

I extend my thanks to the majority leader, Senator DASCHLE, for working to address the concerns of all sides. I appreciate the willingness of the managers of the bill, Chairman KENNEDY and Senator GREGG, to have this important issue considered in the context of the ESEA bill. In addition, I wish to thank the many groups whose support this amendment enjoys, including: Beyond Pesticides/National Coalition Against the Misuse of Pesticides, the National Pest Management Association, Responsible Industry for a Sound Environment, American Crop Protection Association, Consumer Specialty Products Association, Chemical Producers and Distributors Association, and the International Sanitary Supply Association. I also appreciate the support of the New Jersey Pest Management Association, and the New Jersey Environmental Federation. Finally, this amendment would not have been possible without the work of Joe Fiordaliso of my staff.

I look forward to working with members of the conference on ESEA to ensure that this amendment is included in the final bill, which is presented to President Bush.

HEALTH CARE

Mr. DURBIN. Mr. President, I want to address in morning business an issue, which will be the focus of debate in the Senate for the next 2 weeks. Many times our debates in this Chamber are about issues that a lot of people across America wonder what can this possibly mean to me, my family, or my future. This debate, believe me, will affect every single one of us.

What we do—whether we pass a law or fail to pass a law—can have a direct impact on everyone witnessing this debate and virtually everyone living in

this country. What could that issue possibly be? Health care. It is about whether or not our health insurance will be there when we need it.

Yesterday in Springfield, IL, my hometown, I had a press conference. I invited three local doctors and two local nurses to talk about health care today. They came and told stories which were chilling, stories of their efforts to provide quality medical care to the people of my hometown and how time and again they ran into roadblocks, obstacles, and barriers from HMOs, and other health insurance companies, which tried to overrule medical decisions.

A cardiologist who came forward said: I brought a person into my office who was complaining of pain, thinking he suffered a heart attack. I was prepared to provide emergency care and I did, only to learn that his health insurance company would not pay me because I did not happen to be in their network. This person who showed up at my office, afraid he was going to die, was supposed to read his health insurance policy, look for the appropriate doctor, and make an appointment.

That is the reality of dealing with HMOs and health insurance companies today.

A lady who is an OB/GYN in my hometown talked about women under her care preparing to deliver a baby who, because the employer of that woman changed health insurance companies, were told in the closing days of the pregnancy that she could no longer be treated by her obstetrician, but had to go to a new doctor, an approved doctor, someone who had never seen her during the course of her pregnancy simply because this health insurance company thought it could save a dollar by referring this care to a different obstetrician.

The cases went on and on and on. Frankly, it should not come as a surprise. We have known for years that HMOs, health maintenance organizations, are really cost containment organizations. Their job is to reduce the cost of health care. What is secondary in their consideration is really quality medical care that all of us count on when we go to a doctor or a hospital or rely on a nurse's advice. That has been the casualty in this debate.

Yesterday, in Springfield, IL, these health professionals came forward. They joined ranks with 500 organizations which have endorsed a bill we will begin debating today on the floor of the Senate. Let me add just a postscript to that—I hope we will begin debating it today. Yesterday we tried to take up this bill, to talk about a Patients' Bill of Rights. There was an objection from the Republican side of the aisle. They wanted more time.

I suggest to those who are following this debate, this particular issue has been debated for a long time. In 1973, the Health Maintenance Organization Act became law, allowing employers to offer managed care insurance options. That was 28 years ago.