

Whereas the average age at which newborns with hearing loss are diagnosed is between 12 and 25 months;

Whereas more than 1,000,000 children received speech or language disorder services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) during the school year ending in 1998;

Whereas children with language impairments are 4 to 5 times more likely than their peers to experience reading problems;

Whereas 10 percent of children entering the first grade have moderate to severe speech disorders, including stuttering;

Whereas stuttering affects more than 2,000,000 people in the United States;

Whereas approximately 1,000,000 people in the United States have aphasia, a language disorder inhibiting spoken communication that results from damage caused by a stroke or other traumatic injury to the language centers of the brain; and

Whereas for the last 75 years, May has been celebrated as National Better Hearing and Speech Month in order to raise awareness regarding speech, voice, language, and hearing impairments and to provide an opportunity for Federal, State, and local governments, members of the private and nonprofit sectors, speech and hearing professionals, and the people of the United States to focus on preventing, mitigating, and curing such impairments: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

(1) supports the goals and ideals of National Better Hearing and Speech Month;

(2) commends the 41 States that have implemented routine hearing screenings for every newborn before the newborn leaves the hospital;

(3) supports the efforts of speech and hearing professionals in their efforts to improve the speech and hearing development of children; and

(4) encourages the people of the United States to have their hearing checked regularly and to avoid environmental noise that can lead to hearing loss.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 3382. Mr. DAYTON (for himself, Mr. CRAIG, Mr. DURBIN, Mr. SHELBY, Mr. KERRY, Mr. HELMS, Mr. WELLSTONE, Ms. COLLINS, Ms. MIKULSKI, Mr. SMITH of New Hampshire, Mr. DORGAN, Mr. ALLEN, Mr. HOLLINGS, Mr. WARNER, and Mr. LEVIN) submitted an amendment intended to be proposed by him to the bill H.R. 3009, to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 3382. Mr. DAYTON (for himself, Mr. CRAIG, Mr. DURBIN, Mr. SHELBY, Mr. KERRY, Mr. HELMS, Mr. WELLSTONE, Ms. COLLINS, Ms. MIKULSKI, Mr. SMITH of New Hampshire, Mr. DORGAN, Mr. ALLEN, Mr. HOLLINGS, Mr. WARNER, and Mr. LEVIN) submitted an amendment intended to be proposed by him to the bill H.R. 3009, to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 3(b), add the following:

(4) LIMITATIONS ON TRADE AUTHORITIES PROCEDURES.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the provisions of section 151 of the Trade Act of 1974 (trade authorities procedures) shall not apply to any provision in an implementing bill that modifies or amends, or requires a modification of, or an amendment to, any law of the United States that provides safeguards from unfair foreign trade practices to United States businesses or workers, including—

(i) imposition of countervailing and antidumping duties (title VII of the Tariff Act of 1930; 19 U.S.C. 1671 et seq.);

(ii) protection from unfair methods of competition and unfair acts in the importation of articles (section 337 of the Tariff Act of 1930; 19 U.S.C. 1337);

(iii) relief from injury caused by import competition (title II of the Trade Act of 1974; 19 U.S.C. 2251 et seq.);

(iv) relief from unfair trade practices (title III of the Trade Act of 1974; 19 U.S.C. 2411 et seq.); or

(v) national security import restrictions (section 232 of the Trade Expansion Act of 1962; 19 U.S.C. 1862).

(B) POINT OF ORDER IN SENATE.—

(i) IN GENERAL.—When the Senate is considering an implementing bill, upon a point of order being made by any Senator against any part of the implementing bill that contains material in violation of subparagraph (A), and the point of order is sustained by the Presiding Officer, the part of the implementing bill against which the point of order is sustained shall be stricken from the bill.

(ii) WAIVERS AND APPEALS.—

(I) WAIVERS.—Before the Presiding Officer rules on a point of order described in clause (i), any Senator may move to waive the point of order and the motion to waive shall not be subject to amendment. A point of order described in clause (i) is waived only by the affirmative vote of at least three-fifths of the Members of the Senate, duly chosen and sworn.

(II) APPEALS.—After the Presiding Officer rules on a point of order under this subparagraph, any Senator may appeal the ruling of the Presiding Officer on the point of order as it applies to some or all of the provisions on which the Presiding Officer ruled. A ruling of the Presiding Officer on a point of order described in clause (i) is sustained unless at least three-fifths of the Members of the Senate, duly chosen and sworn, vote not to sustain the ruling.

(III) DEBATE.—Debate on a motion to waive under subclause (I) or on an appeal of the ruling of the Presiding Officer under subclause (II) shall be limited to 1 hour. The time shall be equally divided between, and controlled by, the majority leader and the minority leader, or their designees.

#### NOTICES OF HEARINGS/MEETINGS

##### 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, May 7, beginning at 9:30 a.m., in room 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to review the outlook for this year's wildland fire season as well as to assess the Federal land management agencies' state of readiness and preparedness for the wildland fire season.

Because of the limited time available for the hearing, witnesses may testify by invitation only. Those wishing to submit written testimony for the hearing record should e-mail it to shelly\_brown@energy.senate.gov or fax it to 202-224-4340.

For further information, please contact Kira Finkler of the Committee staff at (202) 224-8164.

##### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs will hold a hearing entitled "The Role of the Board of Directors in Enron's Collapse." The subcommittee will call on past and present members of the Enron Board of Directors to obtain an insider's perspective on the board's oversight efforts, interactions with Enron management and Andersen, and failure to identify and respond adequately to warning signs of Enron's impending collapse.

The hearing will take place on Tuesday, May 7, 2002, at 9:30 a.m., in room 216 of the Hart Senate Office Building. For further information, please contact Elise J. Bean of the subcommittee staff at 224-3721.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on Richard Carmona, to be Surgeon General and Elias Zerhouni, to be Director of the National Institutes of Health during the session of the Senate on Tuesday, April 30, 2002, at 10 a.m.

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

##### COMMITTEE ON INDIAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Tuesday, April 30, 2002, at 9:30 a.m., in room 438A of the Russell Senate Office Building to conduct a joint hearing with the Senate Small Business Committee on "Small Business Development in Native American Communities: Is the Federal Government meeting its obligations?"

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

##### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

##### COMMITTEE ON INDIAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship and the Committee on Indian Affairs be authorized to meet during the session of the Senate for a joint hearing entitled "Small Business Development in Native American Communities: Is the Federal Government Meeting Its Obligations?" on Tuesday, April 30, 2002,

beginning at 9:30 a.m., in room 428A of the Russell Senate Office Building.

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

SUBCOMMITTEE ON ANTITRUST, BUSINESS RIGHTS AND COMPETITION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Antitrust, Business Rights and Competition be authorized to meet to conduct a hearing on "Hospital Group Purchasing: Lowering Costs at the Expense of Patient Health and Medical Innovations?" on Tuesday, April 30, 2002, at 2:30 p.m., in SD226.

Witness List: Ms. Trisha Barrett BSN, Assistant Director, Materiel Services, Value Analysis Facilitator, UCSF Medical Center, San Francisco, CA; Mr. Lynn R. Detlor, Principal, GPO Concepts, Inc., San Diego, CA; Dr. Mitchell Goldstein, Neonatologist, Citrus Valley Medical Center, West Covina, CA; Mr. Joe Kiani, President and Chief Executive Officer, Masimo Corporation, Irvine, CA; Mr. Mark McKenna, President, Novation, LLC, Irving, TX; Mr. Richard A. Norling, Chief Executive Officer, Premier, Inc., San Diego, CA; and Ms. Elizabeth A. Weatherman, Managing Director, Warburg Pincus, LLC, New York, NY.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, RESTRUCTURING AND THE DISTRICT OF COLUMBIA

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia be authorized to meet on Tuesday, April 30, 2002, at 2:30 p.m., for a hearing to examine "Kids and Cafeterias: How Safe are Federal School Lunches?"

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

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs be authorized to meet on Tuesday, April 30, 2002, at 9:30 a.m., for a hearing entitled "Gas Prices: How Are They Really Set?"

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

PRIVILEGES OF THE FLOOR

Mr. WELLSTONE. Mr. President, I ask unanimous consent that privileges of the floor be granted to Fiona Wright during the debate on H.R. 3009.

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

Mr. GRAHAM. Mr. President, I ask unanimous consent that a congressional fellow in my office, Ms. Tiffany Smith, be granted floor privileges for the remainder of the debate on this legislation.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 802 and 804 through 809; and all nominations placed on the Secretary's desk.

I further ask unanimous consent that the nominations be confirmed en bloc, the motion to reconsider be laid upon the table, any statements be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate resume legislative session, with the preceding all occurring without any intervening action or debate.

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

The nominations considered and confirmed en bloc are as follows:

AIR FORCE

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grades indicated under title 10, U.S.C., section 12203:

*To be major general*

Brigadier General Thomas P. Maguire, Jr.

*To be brigadier general*

Colonel LaRita A. Aragon  
Colonel Robert B. Bailey  
Colonel Tod M. Bunting  
Colonel Lawrence J. Cerfoglio  
Colonel Eugene R. Chojnacki  
Colonel Thorne A. Davis  
Colonel Allen R. Dehnert  
Colonel Dana B. Demand  
Colonel R. Anthony Haynes  
Colonel Stanley J. Jaworski, Jr.  
Colonel Riley P. Porter  
Colonel Richard L. Rayburn  
Colonel Timothy R. Rush  
Colonel Ronald L. Shultz  
Colonel John M. White

MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Gary H. Hughey

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. James E. Cartwright

NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

*To be rear admiral*

Rear Adm. (1h) Charles H. Johnston, Jr.

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be vice admiral*

Vice Adm. Richard W. Mayo

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be admiral*

Vice Adm. Walter F. Doran

AIR FORCE

PN1496 Air Force nominations (13) beginning Loraine H. Anderson, and ending Michael E. Young, which nominations were received by the Senate and appeared in the Congressional Record of March 6, 2002.

PN1548 Air Force nomination of Marilyn D. Barton, which was received by the Senate and appeared in the Congressional Record of March 20, 2002.

PN1549 Air Force nomination of Larry O. Goddard, which was received by the Senate and appeared in the Congressional Record of March 20, 2002.

PN1655 Air Force nomination of Michael B. Tierney, which was received by the Senate and appeared in the Congressional Record of April 16, 2002.

PN1656 Air Force nomination of Donald R. Copsey, which was received by the Senate and appeared in the Congressional Record of April 16, 2002.

PN1622 Air Force nominations (51) beginning Samuel E. Aikele, and ending Bryan M. White, which nominations were received by the Senate and appeared in the Congressional Record of April 9, 2002.

ARMY

PN1550 Army nomination of Mary B. Be-dell, which was received by the Senate and appeared in the Congressional Record of March 20, 2002.

PN1551 Army nomination of Rodney E. Hudson, which was received by the Senate and appeared in the Congressional Record of March 20, 2002.

PN1552 Army nomination of James R. Uhl, which was received by the Senate and appeared in the Congressional Record of March 20, 2002.

PN1588 Army nominations (10) beginning Robert G. Anisko, and ending Craig A. Webber, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2002.

PN1623 Army nomination of William K.C. Parks, which was received by the Senate and appeared in the Congressional Record of April 9, 2002.

PN1624 Army nominations (5) beginning Michael J. Bennett, and ending Robert S. Hough, which nominations were received by the Senate and appeared in the Congressional Record of April 9, 2002.

PN1625 Army nominations (8) beginning Frank E. Batts, and ending Evelyn M. Wilson, which nominations were received by the Senate and appeared in the Congressional Record of April 9, 2002.

PN1657 Army nominations (6) beginning Michael D. Armour, and ending David J. Wheeler, which nominations were received by the Senate and appeared in the Congressional Record of April 16, 2002.

PN1658 Army nominations (2) beginning Bryan T. Much, and ending Lionel D. Robinson, which nominations were received by the Senate and appeared in the Congressional Record of April 16, 2002.

PN1659 Army nominations (2) beginning Carl V. Hopper, and ending Timothy A. Reisch, which nominations were received by the Senate and appeared in the Congressional Record of April 16, 2002.

PN1660 Army nomination of John R. Carlisle, which was received by the Senate and appeared in the Congressional Record of April 16, 2002.

PN1661 Army nomination of Bryan C. Sleight, which was received by the Senate and appeared in the Congressional Record of April 16, 2002.