

“(c) MINIMAL RISKS.—If the Administrator determines, on the basis of the study conducted under section 223, that asbestos-containing products used by consumers and workers do not pose an unreasonable risk of injury to human health, the Administrator shall not be required to conduct a program under this section.

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

(b) VERMICULITE INSULATION.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency and the Consumer Product Safety Commission shall begin a national campaign to educate consumers concerning—

(1) the dangers of vermiculite insulation that may be contaminated with asbestos; and

(2) measures that homeowners and business owners can take to protect against those dangers.

SEC. 4. ASBESTOS-CAUSED DISEASES.

Subpart 1 of part C of title IV of the Public Health Service Act (42 U.S.C. 285 et seq.) is amended by adding at the end the following: “SEC. 417D. RESEARCH ON ASBESTOS-CAUSED DISEASES.

“(a) IN GENERAL.—The Secretary, acting through the Director of NIH and the Director of the Centers for Disease Control and Prevention shall expand, intensify, and coordinate programs for the conduct and support of research on diseases caused by exposure to asbestos, particularly mesothelioma, asbestosis, and pleural injuries.

“(b) ADMINISTRATION.—The Secretary shall carry out this section—

“(1) through the Director of NIH and the Director of the Centers for Disease Control and Prevention; and

“(2) in collaboration with the Administrator of the Agency for Toxic Substances and Disease Registry and the head of any other agency that the Secretary determines to be appropriate.

“(c) REGISTRY.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Director of the Centers for Disease Control and Prevention, in cooperation with the Director of the National Institute for Occupational Safety and Health and the Administrator of the Agency for Toxic Substances and Disease Registry, shall establish a National Mesothelioma Registry.

“(2) CONTENTS.—The Registry shall contain information on diseases caused by exposure to asbestos, particularly mesothelioma.

“(d) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts made available for the purposes described in subsection (a) under other law, there are authorized to be appropriated to carry out this section such sums as are necessary for fiscal year 2003 and each fiscal year thereafter.

“SEC. 417E. MESOTHELIOMA TREATMENT PROGRAMS.

“(a) FUNDING.—The Secretary, in consultation with the Director of NIH and the Director of the Centers for Disease Control and Prevention, shall provide not to exceed \$500,000 for each of fiscal years 2003 through 2007 to each institution described in subsection (b) to strengthen the mesothelioma treatment programs carried out at those institutions.

“(b) INSTITUTIONS.—The institutions described in this subsection are the following:

“(1) The Memorial Sloan-Kettering Hospital, New York, New York.

“(2) The Karmanos Cancer Institute at Wayne State University, Detroit, Michigan.

“(3) The University of California at Los Angeles Medical School, Los Angeles, California.

“(4) The University of Chicago Cancer Research Center, Chicago, Illinois.

“(5) The University of Pennsylvania Hospital, Philadelphia, Pennsylvania.

“(6) The University of Texas, through the M.D. Anderson Cancer Research Center Houston, Texas.

“(7) The University of Washington, Seattle, Washington.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$3,500,000 for each of fiscal years 2003 through 2007.”.

SEC. 5. CONFORMING AMENDMENTS.

The table of contents in section 1 of the Toxic Substances Control Act (15 U.S.C. prec. 2601) is amended—

(1) by inserting before the item relating to section 201 the following:

“Subtitle A—General Provisions”;

and

(2) by adding at the end of the items relating to title II the following:

“Subtitle B—Asbestos-Containing Products

“Sec. 221. Definitions.

“Sec. 222. Panel on asbestos and other durable fibers.

“Sec. 223. Study of asbestos-containing products and contaminant-asbestos products.

“Sec. 224. Prohibition on asbestos-containing products.

“Sec. 225. Public education program.”.

By Mr. NELSON of Florida (for himself, Mr. THOMAS, Mrs. FEINSTEIN, and Mr. BAYH):

S. 2642. A bill to require background checks of alien flight school applicants without regard to the maximum certificated weight of the aircraft for which they seek training, and to require a report on the effectiveness of the requirement; to the Committee on Commerce, Science, and Transportation.

Mr. NELSON of Florida. Madam President, in the wake of the September 11 terrorist attacks, it was discovered that many of the hijackers received flight training in the United States. In addition, Zacarias Moussaoui, the alleged “20th hijacker,” was apprehended by investigators in Minnesota after accounts that he was only interested in learning to fly, not land, an airplane.

Section 113 of the Aviation and Transportation Security Act requires background checks of all foreign flight school applicants seeking training to operate aircraft weighing 12,500 pounds or more. While this provision should help ensure that events like the September 11 attacks are not performed by U.S.-trained pilots using hijacked jets in the future, it does nothing to prevent different types of potential attacks against our domestic security.

The FBI recently issued a terrorism warning indication that small planes might be used to carry out attacks. We need to ensure that we are not training terrorists to perform these activities. We can't allow critical warnings to go unheeded.

Today I am introducing legislation that would close this dangerous loophole by requiring background checks on all foreign applicants to U.S. flight

schools, regardless of the aircraft on which they plan to train. I am joined in this effort by Senators THOMAS, FEINSTEIN, and BAYH, and I look forward to the Senate's prompt consideration of this legislation.

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. 2642

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

SECTION 1. FLIGHT SCHOOL BACKGROUND CHECKS.

Section 44939(a) of title 49, United States Code, is amended by striking “having a maximum certificated takeoff weight of 12,500 pounds or more”.

SEC. 2. REPORT ON EFFECTIVENESS OF BACKGROUND CHECK REQUIREMENT.

Within 1 year after the date of enactment of this Act, the Secretary of Transportation and the Attorney General shall submit a joint report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure evaluating the effectiveness of activities conducted under section 44939 of title 49, United States Code.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE RESOLUTION 287—CONGRATULATING THE DETROIT RED WINGS ON WINNING THE 2002 NATIONAL HOCKEY LEAGUE STANLEY CUP CHAMPIONSHIP AND AGAIN BRINGING THE CUP HOME TO HOCKEYTOWN

Mr. LEVIN (for himself and Ms. STABENOW) submitted the following resolution; which was considered and agreed to:

S. RES. 287

Whereas on June 13, 2002, the Detroit Red Wings (in this resolution referred to as the “Red Wings”) defeated the Carolina Hurricanes, 3-1, in game 5 of the National Hockey League championship series;

Whereas this victory marks the Red Wings' 10th Stanley Cup Championship, continuing the team's reign as the most storied American hockey team;

Whereas this victory marks the Red Wings' third Stanley Cup Championship in the past 6 years, establishing them as one of the great dynasties in the history of the National Hockey League;

Whereas the Red Wings, who average over 30 years of age, proved once again that talent and experience can triumph over more youthful competition;

Whereas the Red Wings had the best record in the National Hockey League for the decade of the 1990s as well as this past year;

Whereas Nicklas Lidstrom, who has anchored the Detroit Defense for 11 years, became the first European-born player to win the Conn Smythe Trophy for the most valuable player in the playoffs;

Whereas Marian and Mike Ilitch, the owners of the Red Wings and community leaders in Detroit and Michigan, have returned Lord Stanley's Cup to Detroit yet again;

Whereas the Red Wings, who have played in Detroit since 1926, continue to hold a special place in the hearts of all Michiganders;

Whereas Detroit, otherwise known as "Hockeytown, U.S.A.", is home to the most loyal fans in the world;

Whereas the Red Wings are indebted to retiring head coach Scotty Bowman, who has brought the Red Wings to the playoffs 7 times in the last 8 years and who, with this year's victory, has earned his ninth Stanley Cup victory, surpassing his mentor Toe Blake for the most championships in league history;

Whereas the Red Wings are fortunate to have the leadership of team captain Steve Yzerman, who along with being one of the most respected athletes in all of sports, completed one of his best seasons ever despite a serious leg injury which will require surgery at the end of the season; and

Whereas each one of the Red Wings will be remembered on the most illustrious sports trophy, the Stanley Cup, as follows: Pavel Datsyuk, Boyd Devereaux, Kris Draper, Sergei Fedorov, Igor Larionov, Jason Williams, Steve Yzerman, Tomas Holmstrom, Luc Robitaille, Brendan Shanahan, Sean Avery, Ladislav Kohn, Brett Hull, Darren McCarty, Kirk Maltby, Chris Chelios, Mathieu Dandenault, Steve Duchesne, Jiri Fischer, Uwe Krupp, Maxim Kuznetsov, Nicklas Lidstrom, Fredrik Olausson, Jiri Slegr, Jesse Wallin, Dominik Hasek, and Many Legace: Now, therefore, be it

Resolved, That the Senate congratulates the Detroit Red Wings on winning the 2002 National Hockey League Stanley Cup Championship.

Mr. LEVIN. Madam President, I am submitting today, along with my colleague Senator STABENOW, a resolution congratulating the Detroit Red Wings, who on June 13th, 2002, defeated the Carolina Hurricanes 3-1 to win their third Stanley Cup in six years. With this victory, the Wings have further solidified their position as one of the most storied teams in all sports by bringing Lord Stanley's Cup home to Hockeytown for a 10th time.

Few doubted that this year's team could make a run at the Cup. Many have argued that this was the greatest hockey roster ever assembled. The last names alone evoke hockey greatness. Along with long time stars like Yzerman, Fedorov, Lidstrom, and Shanahan, this season's team included future hall of famers by the names of Hull, Robitaille, and Hasek. It was a team assembled to win, and in the end, that goal was reached.

This is not a story of individual talent, though surely there was a surplus of that. This is a story of teamwork and dedication. Despite the phenomenal play by Detroit's stars, they would not have succeeded had it not been for the contributions of players like Igor Larionov, Tomas Holmstrom, Kris Draper, Darren McCarty and Steve Duchesne. Their selfless dedication was exemplified by Duchesne, who sat out only one shift, about ten minutes, after losing six teeth to an errant puck.

During the season many critics claimed that while Detroit had talent, the team was too old to endure the grueling playoffs, which last for over two months. They claimed that the Wings, who average over 30 years of age and have seven players over 35, would succumb to injury or fatigue against

younger competition. However as the playoffs progressed, the team only grew stronger. All questions were put to rest in game three of the playoffs when 41 year old Igor Larionov scored two goals including the game winner in the third overtime.

Though the Wings are known for their powerful offense, it was their smothering defense which led to their victory. Throughout the playoffs, their defense kept the number of scoring chances for the opposing team to a bare minimum. The anchor of the Detroit defense was Nicklas Lidstrom who averaged over 31 minutes per game throughout the playoffs and over 35 minutes during the finals. For his exceptional contributions, he was awarded the Conn Smythe trophy as the Most Valuable player in the Playoffs.

Special recognition is also due to the Red Wings Captain, Steve Yzerman, who has been the team captain since 1986. During his career in the Motor City, this humble star has amassed 175 playoff points, besting the great Gordie Howe for the team record. For this year's playoffs, Yzerman led the team with 23 points, second in the NHL. Along with holding the team record for playoff goals, Stevie, as he is fondly known in Detroit, is the motivational leader of the team. When things were going poorly in the series against Vancouver, it was Yzerman who gave the motivational speech which led to a Wings victory and a tide shift in the series—all of this despite a knee which will need reconstructive surgery this off-season.

This victory also marks the end of an era, not only for Detroit, but for the NHL. Soon after the game ended, Scotty Bowman, the Red Wings coach since 1993, announced his retirement. When Scotty came to Detroit nine years ago, we had been without the Cup for nearly four decades. However, during his tenure, the Wings made it to the playoffs seven of eight years, and won the Stanley Cup three times. With this, his ninth Stanley Cup, victory Scotty also surpasses his mentor Toe Blake with the most cups in NHL history and joins Red Auerbach and Lakers coach Phil Jackson among the coaches with the most championship victories in major sports. I join with every Detroiter in saying, "Thank you Scotty."

Hockey has long been a second religion in Detroit. I fondly remember going to Red Wings games as a kid with my big brother, Sander—Congressman Levin now—and our mother. Those teams were also filled with future hall of famers: Sid Abel, Gordie Howe, Teddy Lindsay. These players and other Wings alumni established a winning tradition which continues to this day.

Yesterday, Senator STABENOW and I joined over a million fans in congratulating this fantastic team. The celebration was not only an outpouring of emotion and a celebration of talent, it was an affirmation of Detroit's title as Hockeytown. During the ceremonies, I

had the opportunity to say thanks and farewell to Scotty Bowman. I also had the pleasure of chatting with Stevie Yzerman and his family. I wish him a speedy recovery from his surgery. More than anything else, he and the rest of the wings have been mentors to our children—along with being incredible hockey players on the ice they are charitable public citizens and dedicated family members.

I know my Senate Colleagues will join me and hockey fans around the country in congratulating the Red Wings for bringing hockey's "Holy Grail" back to Hockeytown.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, it was with great joy and excitement yesterday that I joined with Senator LEVIN as we celebrated the Stanley Cup win by the Detroit Red Wings. It was a beautiful sunshiny day in Detroit, and over a million people came out to join with all of us in thanking Scotty Bowman and thanking the entire team for their wonderful win again this year. We are so proud, as Senator LEVIN said, of what they do, not only on the ice but off the ice. So it is with great pleasure that I join with Senator LEVIN today in coauthoring this resolution of tribute to the Detroit Red Wings.

As has been said, this is the third time in 6 years the Detroit Red Wings have won the Stanley Cup. It is the 10th Stanley Cup in total that the Detroit Red Wings have won. We are pleased we are only behind the Montreal Canadiens, that have won it 23 times, and the Toronto Maple Leaves, that have won it 13 times. They are the only two teams that have won more Stanley Cups than our own Detroit Red Wings, of which we are so proud.

We also, yesterday, saw a wonderful tribute to the head coach and the entire coaching staff, but particularly Scotty Bowman, who has his ninth Stanley Cup win in his 30 years, and 9 years with Detroit. This is the most for any coach in the NHL. Sports Illustrated has called him the best coach in any sport. That is high praise.

Yesterday, the fans, of whom we have many—in fact, we in Detroit and in Michigan believe we have the best fans in the country, and indeed in the world, in Hockeytown everyone joined in rousing support and thanks to Scotty Bowman for all he has done to bring this team to another victory and also for leading a group of men who are role models both in their sport on the ice as well as in their own communities and personal lives.

We are sorry to see Scotty leave, but we are so grateful that he has spent this time in Detroit and that he has given his all to help our team achieve the very highest honors possible.

Interestingly, we know the Stanley Cup was named after Lord Stanley of Preston, the Governor General of Canada. In 1893, he started this award by purchasing a small, gold-plated, silver bowl from a London silversmith for \$50.

The bowl was awarded to the best hockey team in Canada. The original cup is actually in a museum.

It was a great honor, yesterday, for me to see our Stanley Cup, to see the names that are engraved there, to know that Detroit has such a high place of honor, and that the Detroit Red Wings have once again brought the cup home to Detroit.

So congratulations to the Red Wings. We are so proud of you. It is my great pleasure to stand with Senator LEVIN in salute to our Detroit Red Wings today.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3891. Mr. SPECTER submitted an amendment intended to be proposed to amendment SA 3843 proposed by Mr. BROWNBACK to the bill (S. 2600) to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table.

SA 3892. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 3871 submitted by Mr. HATCH and intended to be proposed to the bill (S. 2600) supra; which was ordered to lie on the table.

SA 3893. Mr. DASCHLE (for Mr. ENSIGN (for himself, Mr. KERRY, and Mr. STEVENS)) proposed an amendment to the bill H.R. 4560, to eliminate the deadlines for spectrum auctions of spectrum previously allocated to television broadcasting.

SA 3894. Mr. REID (for himself and Mr. SMITH, of New Hampshire) submitted an amendment intended to be proposed by him to the bill S. 2514, to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table.

SA 3895. Mrs. HUTCHISON (for herself and Mr. BROWNBACK) submitted an amendment intended to be proposed by her to the bill S. 2514, supra; which was ordered to lie on the table.

SA 3896. Mr. LOTT submitted an amendment intended to be proposed by him to the bill S. 2514, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3891. Mr. SPECTER submitted an amendment intended to be proposed to amendment SA 3843 proposed by Mr. BROWNBACK to the bill (S. 2600) to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

Strike all after "SEC. ____." and insert the following:

PROHIBITION ON HUMAN CLONING.

(a) PURPOSE.—It is the purpose of this Act to prohibit human cloning.

(b) PROHIBITION.—

(1) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 15, the following:

"CHAPTER 16—PROHIBITION ON HUMAN CLONING

"Sec.

"301. Prohibition on human cloning.

"§ 301. Prohibition on human cloning

"(a) DEFINITIONS.—In this section:

"(1) HUMAN CLONING.—The term 'human cloning' means implanting or attempting to implant the product of nuclear transplantation into a uterus or the functional equivalent of a uterus.

"(2) HUMAN SOMATIC CELL.—The term 'human somatic cell' means any human cell other than a haploid germ cell.

"(3) NUCLEAR TRANSPLANTATION.—The term 'nuclear transplantation' means transferring the nucleus of a human somatic cell into an oocyte from which the nucleus or all chromosomes have been or will be removed or rendered inert.

"(4) NUCLEUS.—The term 'nucleus' means the cell structure that houses the chromosomes.

"(5) OOCYTE.—The term 'oocyte' means the female germ cell, the egg.

"(b) PROHIBITIONS ON HUMAN CLONING.—It shall be unlawful for any person or other legal entity, public or private—

"(1) to conduct or attempt to conduct human cloning; or

"(2) to ship the product of nuclear transplantation in interstate or foreign commerce for the purpose of human cloning in the United States or elsewhere.

"(c) PROTECTION OF RESEARCH.—Nothing in this section shall be construed to restrict practices not expressly prohibited in this section.

"(d) PENALTIES.—

"(1) CRIMINAL PENALTIES.—Whoever intentionally violates paragraph (1) or (2) of subsection (b) shall be fined under this title and imprisoned not more than 10 years.

"(2) CIVIL PENALTIES.—Whoever intentionally violates paragraph (1) or (2) of subsection (b) shall be subject to a civil penalty of \$1,000,000 or three times the gross pecuniary gain resulting from the violation, whichever is greater.

"(3) FORFEITURE.—Any property, real or personal, derived from or used to commit a violation or attempted violation of the provisions of subsection (b), or any property traceable to such property, shall be subject to forfeiture to the United States in accordance with the procedures set forth in chapter 46 of title 18, United States Code.

"(e) RIGHT OF ACTION.—Nothing in this section shall be construed to give any individual or person a private right of action."

SA 3892. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 3871 submitted by Mr. HATCH and intended to be proposed to the bill (S. 2600) to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism; which was ordered to lie on the table; as follows:

On page 1, line 4, before "." insert the following: "except for an individual or corporation which engages in wanton, willful, reckless or malicious conduct related to an act of terrorism and any amounts attributable to such punitive damages shall not count as insured losses for purposes of this Act".

SA 3893. Mr. DASCHLE (for Mr. ENSIGN (for himself, Mr. KERRY, and Mr. STEVENS)) proposed an amendment to the bill H.R. 4560, to eliminate the deadlines for spectrum auctions of spectrum previously allocated to television broadcasting; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Auction Reform Act of 2002".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Circumstances in the telecommunications market have changed dramatically since the auctioning of spectrum in the 700 megahertz band was originally mandated by Congress in 1997, raising serious questions as to whether the original deadlines, or the subsequent revision of the deadlines, are consistent with sound telecommunications policy and spectrum management principles.

(2) No comprehensive plan yet exists for allocating additional spectrum for third-generation wireless and other advanced communications services. The Federal Communications Commission should have the flexibility to auction frequencies in the 700 megahertz band for such purposes.

(3) The study being conducted by the National Telecommunications and Information Administration in consultation with the Department of Defense to determine whether the Department of Defense can share or relinquish additional spectrum for third generation wireless and other advanced communications services will not be completed until after the June 19th auction date for the upper 700 megahertz band, and long after the applications must be filed to participate in the auction, thereby creating further uncertainty as to whether the frequencies in the 700 megahertz band will be put to their highest and best use for the benefit of consumers.

(4) The Federal Communications Commission is also in the process of determining how to resolve the interference problems that exist in the 800 megahertz band, especially for public safety. One option being considered for the 800 megahertz band would involve the 700 megahertz band. The Commission should not hold the 700 megahertz auction before the 800 megahertz interference issues are resolved or a tenable plan has been conceived.

(5) The 700 megahertz band is currently occupied by television broadcasters, and will be so until the transfer to digital television is completed. This situation creates a tremendous amount of uncertainty concerning when the spectrum will be available and reduces the value placed on the spectrum by potential bidders. The encumbrance of the 700 megahertz band reduces both the amount of money that the auction would be likely to produce and the probability that the spectrum would be purchased by the entities that valued the spectrum the most and would put the spectrum to its most productive use.

(6) The Commission's rules governing voluntary mechanisms for vacating the 700 megahertz band by broadcast stations—

(A) produced no certainty that the band would be available for advanced mobile communications services, public safety operations, or other wireless services any earlier than the existing statutory framework provides; and

(B) should advance the transition of digital television and must not result in the unjust enrichment of any incumbent licensee.

SEC. 3. ELIMINATION OF STATUTORY DEADLINES FOR SPECTRUM AUCTIONS.

(a) FCC TO DETERMINE TIMING OF AUCTIONS.—Section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) is amended by adding at the end the following new paragraph:

"(15) COMMISSION TO DETERMINE TIMING OF AUCTIONS.—

"(A) COMMISSION AUTHORITY.—Subject to the provisions of this subsection (including paragraph (11)), but notwithstanding any other provision of law, the Commission shall determine the timing of and deadlines for the conduct of competitive bidding under this subsection, including the timing of and deadlines for qualifying for bidding; conducting auctions; collecting, depositing, and reporting revenues; and completing licensing processes and assigning licenses.