cease its illegal importation of Iraqi oil, and by so doing hold Syria accountable for its role in the Middle East, and for other purposes.

S. 2221

At the request of Mr. ROCKEFELLER, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 2221, a bill to temporarily increase the Federal medical assistance percentage for the medicaid program.

S. 2394

At the request of Mrs. CLINTON, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of S. 2394, a bill to amend the Federal Food, Drug, and Cosmetic Act to require labeling containing information applicable to pediatric patients.

S. 2480

At the request of Mr. LEAHY, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 2480, a bill to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from state laws prohibiting the carrying of concealed handguns.

S. 2509

At the request of Mrs. HUTCHISON, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 2509, a bill to amend the Defense Base Closure and Realignment Act of 1990 to specify additional selection criteria for the 2005 round of defense base closures and realignments, and for other purposes.

S. 2521

At the request of Mr. KERRY, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 2521, a bill to amend title II of the Social Security Act to restrict the application of the windfall elimination provision to individuals whose combined monthly income from benefits under such title and other monthly periodic payments exceeds $2,000 and to provide for a graduated implementation of such provision on amounts above such $2,000 amount.

S. 2560

At the request of Mr. BINGAMAN, his name was added as a cosponsor of S. 2560, a bill to provide for a multi-agency cooperative effort to encourage further research regarding the causes of chronic wasting disease and methods to control the further spread of the disease in deer and elk herds, to monitor the incidence of the disease, to support State efforts to control the disease, and for other purposes.

S. 2570

At the request of Ms. COLLINS, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 2570, a bill to temporarily increase the Federal medical assistance percentage for the medicaid program, and for other purposes.

S. 2572

At the request of Mr. KERRY, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 2572, a bill to amend title VII of the Civil Rights Act of 1964 to establish provisions with respect to religious accommodation in employment, and for other purposes.

AMENDMENT NO. 3912

At the request of Mr. REID, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of amendment No. 3912 proposed to S. 2514, an original bill 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.

AMENDMENT NO. 3915

At the request of Mr. FEINGOLD, the names of the Senator from New Mexico (Mr. DOMENICI) and the Senator from Rhode Island (Mr. CHAFEE) were added as cosponsors of amendment No. 3915 proposed to S. 2514, an original bill 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.

AMENDMENT NO. 3916

At the request of Mr. BAYH, his name was added as a cosponsor of amendment No. 3916 proposed to S. 2514, an original bill 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.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. LANDRIEU:

S. 2650. A bill to amend the Higher Education Act of 1965 to provide student loan borrowers with a choice of lender for loan consolidation; to the Committee on Health, Education, Labor, and Pensions.

Ms. LANDRIEU. Mr. President, I rise today to introduce to my colleagues, the Consolidation Student Loan Flexibility Act of 2002, a bill of great importance to the hundreds and thousands of students working to make the dream of a college education a reality. According to a recent report published by the National Center for Higher Education, the cost of attending two- and four-year public and private colleges has grown more repidly than inflation, and faster than family income. Poor families spent as much as 25 percent of their annual income to send their children to a public, four-year colleges in 2000, compared with 13 percent in 1980. What's worse, the Federal Pell Grant program, designed to help alleviate the financial burden on low income families, covered only 57 percent of the cost of tuition at public four-year colleges in 1999, compared with 98 percent in 1986.

The most widespread response to the increasing costs, according to the report, involves debt, more students are borrowing more money than ever before. Since 1980, Federal financial assistance has been transformed from a system characterized mainly by need based grants to one dominated by loans. In 2000, loans represented 58 percent of Federal student financial aid, and grants represented 41 percent. Studies show that a major factor influencing a student's choice of college and degree program is the amount of debt connected with the type of institution or profession. Make no mistake, these choices not only affect the lives of the students themselves but also impact society as a whole. Efforts to attract college graduates into needed, but not necessarily high paying careers, such as teaching, may be undermined by substantial debt burdens.

School loans are an important and legitimate aspect of attending college for many students, but it also raises several policy concerns. One area of growing concern surrounds what is called the single lender rule. The single lender rule is a provision in the Higher Education Act that affects the ability of college graduates to consolidate multiple student loans into a single new loan for the purpose of getting a lower rate. Specifically, it provides that borrowers having all of their loans held by a single lender have to consolidate with that lender, so long as it offers consolidation loans. Therefore those borrowers with all of their loans in one place can't go to other lenders offering better rates or benefits, they have to stay where they are.

I would like to submit for the RECORD some numbers which demonstrate how damaging the single lender rule is for students. Last year, 143,504 students were denied the benefits of loan consolidation because of the single lender rule. In my home State of Louisiana, 3,329 students were prevented from obtaining a lower-rate or more generous benefits because of this rule. Many of these students are studying to be doctors, nurses, teachers, and lawyers. These are conservative numbers, collected from student loan providers, the reality is even more staggering.

This restriction makes no sense and while it may benefit those offering student loans, it sure isn't designed to provide students with the power that choice and competition can bring. A few months ago we acted to pass a package designed to stimulate the economy and secure long term economic stability in America. I would be hard pressed to think of a better way to ease the burden on our States and to secure a brighter future for the U.S. economy than to make a college degree

an affordable option for all who seek to obtain one.

The Census Bureau has released new figures on the earnings gap between people with a high school education and those with bachelor's degrees. It's wide and growing. The bureau said that college graduates made an average of $40,500 last year, while the average high school graduate earned $22,900. People with bachelor's degrees now earn an average of 76 percent more than high school graduates. In 1975, the gap was 57 percent. One does not have to have a Ph.D. in math to understand the impact that closing this gap would mean for the economy, more people with college degrees means higher consumer spending and lower unemployment.

Some of my colleagues may be asking, why now? Why not wait until next year when we will be re-addressing the Higher Education Act? Here are some of the reasons why I believe this is not a good idea for us to wait until next year or the year after. To delay repealing the rule until the H.E.A. Reauthorization would unnecessarily victimize hundreds of thousands of student loan borrowers, depriving them of the ability to manage their debt in an optimal way. Today's graduates are entering a workplace where jobs are hard to get and salaries for starting positions are lower than they have ever been before. In this environment, we need to be building up opportunities for them to reduce their debt not increase it.

This bill is an important first step to making college more affordable for all American families. I hope my colleagues will join me in making the dream of a college education a reality for all.

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By Mr. GRAHAM:

S. 2652. A bill to authorize the Secretary of Agriculture to sell or exchange certain land in the State of Florida, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. GRAHAM. Mr. President, when the Spanish explorers surveyed Florida in the early 16th century, this is what they saw: Massive pines, measuring two to three feet in diameter that climbed into the skies over 100 feet.

This was the landscape of the Apalachicola National Forest.

You could walk through the forest, especially early in the day as the morning fog was rising, look up and see these silent giants create a dense canopy overhead.

Some likened the forest's natural beauty to a cathedral of trees.

The sheer enormity of these tall stately trees was magnified by the close cut landscape of wiregrass on the forest floor.

This pattern of tall stately trees and lawn like underbrush, as the first Spanish explorers described this impressive habitat, was common throughout the southeast of North America—over 90 million acres of pines and wiregrass.

Today, all but a fraction of these acres of the longleaf pine ecosystem have been destroyed or altered.

The forest character has been transformed by thick palmetto and other growth from that which was encountered by Florida's earliest settlers.

Why? Because of fires, or more precisely—the absence or containment of fires to protect businesses and their property.

Natural fires created by thunderstorms are part of nature's cycle. The longleaf pines and wiregrass have natural qualities which allowed them to survive the fires while other plant life perished.

The result is dramatically depicted in this painting by Jacksonville, FL artist Jim Draper who captures the landscape as it once looked and how it looks in limited areas today.

I bring to the intention of my colleagues the landscape painting by Mr. Draper of the area to be affected by the adoption of the legislation by allowing us to bring into public ownership outholdings which represent a potential threat through the possibility that they might cause resistance to the necessary controlled fires which are necessary in order to maintain this small piece of what had been 90 million acres of the southeastern United States.

It is an important part of our Nation's natural history, which we have the opportunity to take a step to protect for future generations during this session of Congress.

The painting is of one of those areas in the Apalachicola National Forest in the eastern section of the Florida Panhandle. It is known as Post Office Bay and retains the heritage of the American southeast of the pre-Columbian era.

Like its predecessors, this special part of the Apalachicola is preserved due to fires, now both natural and prescribed.

But those fires are now threatened by man. Private inholdings adjacent to Post Office Bay are being considered for sale as small acreage second homes and vacation sites. Should this occur, managed fires would likely encounter serious resistance from the new owners and the fires required to sustain this vestige of America's natural history would be ended.

The 564,000 acre Apalachicola National Forest has a unique opportunity to acquire the remainder of a 2,560 acre inholding within the forest.

As of last month, 1,180 acres of this property has been acquired through a land swap.

Now we need to finish the job, to permanently protect Post Office Bay.

The Florida National Forest Lands Management Act of 2002 will do just that.

The United States Forest Service has been left with several noncontiguous parcels of land in Okaloosa County, further west in Florida's Panhandle—that it must manage because former portions of the Choctowahatchee National Forest were returned to the Forest Service by the Department of Defense.

These parcels are high in value, some have potential buyers, and several are encumbered with urban structures, such baseball fields and the county fairgrounds.

Our legislation will allow the Forest Service to sell these parcels and purchase the remainder of the Apalachicola inholdings and other sensitive lands with the proceeds.

The land sale would have several benefits.

This legislation will make it easier for nature and man to continue its cleansing process by fire without endangering private land or its occupants.

By connecting the lands of the longleaf pine ecosystem, the regular course of natural fires can resume safely, optimizing Mother Nature's method of keeping this area beautiful.

Also, by allowing the regular cycle of fire to resume freely, the regeneration process will continue.

Ultimately, the forest would be more easily and effectively managed.

The Florida National Forest Lands Management Act of 2002 is a sensible way for the Apalachicola National Forest to acquire these vast and important inholdings and preserve a natural treasure.

It will aid in expanding the 3 million acres of longleaf pine that now cover the Southeastern United States.

This measure has the support of the Forest Service, and I urge my colleagues to support it was well.

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By Mr. SANTORUM (for himself and Mr. MILLER):

S. 2653. A bill to reduce the amount of paperwork for special education teachers, to make mediation mandatory for all legal disputes related to individualized education programs, and for other purposes; to the Committee on Health, Education, Labor and Pensions.

Mr. SANTORUM. Mr. President, today, I am pleased to announce the introduction, along with my colleague Senator MILLER, of the bipartisan Teacher Paperwork Reduction Act of 2002. During the 107th Congress, we have been successful in legislating sweeping reforms in education with the passage last year of the No Child Left Behind Act. We also hope to complete reauthorization of another important Federal education initiative, the reauthorization of the Individuals with Disabilities Education Act, IDEA, this year. As we consider this legislation, our greatest responsibility is to improve the quality of the education that students with special needs receive.

One of the problems fostered by the current system, which stands in direct contrast to our purpose, is the excessive paperwork burden imposed on our special education teachers. This burden takes valuable time away from classroom instruction and is a source of ongoing frustration for the special education teachers working on the

frontlines. As a result, this undermines the goal of providing the best quality education possible to all children. The Teacher Paperwork Reduction Act addresses this problem and seeks to offer solutions that will benefit special education teachers and most importantly the children they instruct.

This bipartisan legislation includes four main provisions to correct the problem of burdensome paperwork. First, the Department of Education, in cooperation with state and local educational agencies, would be required to reduce the amount of paperwork by 50 percent within 18 months of enactment of the legislation and would be encouraged to make additional reductions. Second, the General Accounting Office GAO, would conduct a study to determine how much of the paperwork burden is caused by Federal regulations compared to State and local regulations; the number of mediations that have been conducted since mediations were required to be made available under the 1997 IDEA amendments; the use of technology in reducing the paperwork burden; and GAO would make recommendations on steps that Congress, the U.S. Department of Education, and the states and local districts can take to reduce this burden within six months of the passage of this legislation.

Third, mediation would be mandatory for all legal disputes related to Individual Education Programs IEPs to better empower parents and schools to focus resources on a quality education for children rather than unnecessary litigation within one year of enactment of this legislation. Fourth, the Department of Education is directed to conduct research to determine best practices for successful mediation, including training practices, that can help contribute to the effort to reduce paperwork, improve student outcomes, and free up teacher resources for teaching. The Department would also provide mediation training support services to support state and local efforts. The resources to fund these requirements would come from money appropriated through Part D of IDEA.

The Council for Exceptional Children, CEC, states, ''No barrier is so irksome to special educators as the paperwork that keeps them from teaching.'' According to a CEC report, concerns about paperwork ranked third among special education teachers, out of a list of 10 issues. The CEC also reports that special education teachers are leaving the profession at almost twice the rate of general educators. Statistics concerning the amount of time special education teachers spend completing paperwork are telling. 53 percent of special education teachers report that routine duties and paperwork interfere with their job to a great extent. They spend an average of five hours per week on paperwork, compared to general education teachers who spend an average of two hours per week. More than 60 percent of special education teachers spend a half to one and a half days a week completing paperwork. One of the biggest sources of paperwork, the individualized education program, IEP, averages between 8 and 16 pages long, and 83 percent of special education teachers report spending from a half to one and a half days each week in IEP-related meetings.

There are three primary factors associated with burdensome paperwork. The first factor is federal regulations. The 1997 IDEA regulations set forth the necessary components of the IEP and require teachers to complete an array of paperwork in addition to the IEP. According to the National School Boards Association, NSBA, ''These requirements result in consuming substantial hours per child and cumulatively are having a negative impact on special educators and their function.'' Second, there are misconceptions at the state and local levels regarding federal regulations that result in additional requirements imposed by the states and local school districts. The U.S. Department of Education compiled a sample IEP with all the necessary components, and it is five pages long. However, most IEPs are much longer. The third factor is litigation and the threat of litigation. In order to be prepared for due process hearings and court proceedings, school district officials often require extensive documentation so that they are able to prove that a free appropriate public education (FAPE) was provided to the special education student.

A key provision of the bill makes mediation mandatory for all legal disputes related to IEPs. There are several benefits to using mediation as an alternative to due process hearings and court proceedings. According to the Consortium for Appropriate Dispute Resolution in Special Education, CADRE, mediation is a constructive option for children, parents, and teachers and allows families to maintain a positive relationship with teachers and service providers. Parents have the benefit of working together with educators and service providers as partners instead of as adversaries. If an agreement cannot be reached as a result of mediation, parties to the dispute would retain existing due process and legal options.

Mediation is also a much less costly, less time consuming alternative for all parties concerned. Parents do not have to pay for mediation sessions, because under the 1997 IDEA amendments, states are required to bear the cost for mediation. States and local districts save a lot of money as well. According to the Michigan Special Education Mediation Program, MSEMP, the average hearing cost to the state is $40,000; it pays approximately $700 per mediation session. The NSBA reports that attorney fees for school districts average between $10,000 to $25,000. In contrast, the Pennsylvania Bureau of Education says that it pays mediators $250 per session. The cost effectiveness of mediation is apparent. Not only does mediation save money, it saves time as well. According to the Washington State Department of Education, a mediation session may generally be scheduled within 14 days of a parental request, whereas it may take up to a year to secure a court date.

Most importantly, mediation is a successful alternative to due process hearings. At least some form of agreement is reached in 80 percent of sessions nationwide. In Pennsylvania, 85 percent of voluntary special education mediations end in agreement in which both parties are satisfied. According to the New York State Dispute Resolution Association, mediation ending in resolution of the conflict occurs for 75 percent of referrals, and in Wisconsin, approximately 84 percent of those who chose mediation would use it again.

The Teacher Paperwork Reduction Act is meant to alleviate a serious problem that causes frustration and discouragement among dedicated special education teachers who expend energy and countless hours in order to give students with disabilities an equal opportunity to learn. It is only fair and right to find ways to reduce paperwork in order to give teachers more time to spend educating our students and changing their lives, and less time wading through inanimate stacks of paper. I would invite my colleagues to join us in cosponsoring this legislation to help teachers, schools, and parents provide a better education for all students so that no child is left behind.

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By Ms. CANTWELL (for herself, Mr. THOMAS, Mr. CLELAND, Ms. SNOWE, Mr. JOHNSON, Mr. SMITH of Oregon, Ms. LANDRIEU, Mr. HAGEL, Mr. CONRAD, Mr. ROBERTS, Mr. DURBIN, Mr. TORRICELLI, Mr. ROCKEFELLER, and Mr. WYDEN):

S. 2654. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income loan payments received under the National Health Service Corps Loan Repayment Program established in the Public Health Service Act; to the Committee on Finance.

Ms. CANTWELL. Mr. President, I rise today with Senator CRAIG THOMAS to introduce legislation that would exclude loan repayments made through the National Health Service Corps from taxable income. I am pleased that Senators CLELAND, SNOWE, JOHNSON, GORDON SMITH, LANDRIEU, HAGEL, CONRAD, ROBERTS, DURBIN, TORRICELLI, ROCKEFELLER, and WYDEN are also cosponsoring this important legislation.

There have been many developments in the area of health care in the last few years from managed care reform, to increases in biomedical research, the mapping of the human genome, and the use of exciting new technologies in both rural and urban areas such as telemedicine. In fact, it seems that almost every day we hear of astounding new scientific breakthroughs. But unfortunately, while we are making great

strides in the quality of health care, we are losing ground on the access to health care for so many.

The sad truth is that there are currently 38.7 million Americans without health insurance coverage, 9.2 million of whom are children. In Washington, 13.3 percent of the population, and 155,000 children, lacks health insurance. Many of the 42.6 million uninsured Americans are lower-income workers who do not have employer-sponsored coverage for themselves, but earn too much to be eligible for public programs like Medicaid and the State Children's Health Insurance Program.

Access to health insurance for the uninsured is of the utmost importance, we know that at the very least, health insurance means the difference between timely and delayed treatment and at worst between life and death. In fact, the uninsured are four times as likely as the insured to delay or forego needed care, and uninsured children are six times as likely as insured children to go without needed medical care.

But even insurance isn't enough if there are no available providers. Hospitals and other health care providers across the country are facing an increasingly uncertain future. The sad truth is that it is increasingly more difficult to recruit health care providers to work with underserved communities, especially in rural areas. In addition to economic pressures, rural areas must overcome the environmental issues involved with recruiting a doctor who may have been raised, educated, and trained in an urban setting.

The National Health Service Corps was created in 1970 by Senator Warren Magnuson, one of the most distinguished Senators to come from Washington State. He saw the need to put primary care clinicians in rural communities and inner-city neighborhoods, and developed this program to fill that need.

Since then, the Corps has placed over 22,000 health professionals in rural or urban health professions shortage areas. There is no doubt that National Health Service Corps has been extremely successful. In fact, the most recent available data show that more than 70 percent of providers continued to provide services to underserved communities after their Corps obligation was fulfilled, 80 percent of these health care providers stayed in the community in which they had originally been placed.

Under current law, the National Health Service Corps provides scholarships, loan-repayments, and stipends for clinicians who agree to serve in urban and rural communities with severe shortages of health care providers. In 1986 the IRS ruled that all payments made under the program are considered taxable income. Understanding the immediate detriment to scholarship recipients, who were forced to pay the tax out of their own pockets, Congress eliminated the scholarship tax in 2001. And while the scholarship program is now not considered taxable income to the IRS, the loan-repayments and stipends are.

By statute, the current loan program awards also include a tax assistance payment equal to 39 percent of the loan repayment amount, which is to be used by the recipient offset his or her tax liability resulting from the loan repayment ''income.'' This means that nearly 40 percent of the federal loan repayment budget goes to pay taxes on the loan repayment ''income'' alone. If these federal payments were not taxed, and the funding was freed up, more health professions students could take advantage of the loan repayment program, and could be placed in shortage areas, thereby increasing access to health care in both urban and rural areas.

This is not a new problem. The tax burden that accompanies the National Health Service Corps loan payments is a significant deterrent to increasing the number of clinicians enrolling in the Corps. I do not want to see a situation where, as happened several years ago, over 300 applicants actually left underserved areas because the Corps could not fully fund the loan repayment program.

The legislation we are introducing today, the National Health Service Corps Loan Repayment Act, would address this disincentive, making the Corps available to more medical and health professionals, and thereby bringing more providers into underserved areas. If loan repayments are excluded from taxation, the National Health Service Corps will have greater resources to provide aid to health professionals seeking loan repayment, and will be able to increase the number of providers in underserved areas.

There is no doubt that strengthening the National Health Service Corps is a ''win-win'' situation. Corps scholarships help finance education for future primary care providers interested in serving the underserved. In return, graduates serve those communities where the need for primary health care is greatest.

This bill is supported by over 20 national organizations including the National Rural Health Association, the National Association of Community Health Centers, the Association of American Medical Colleges, and the American Medical Student Association. I am especially pleased that the Washington State Medical Association is supporting this bill. I ask unanimous consent that the complete list be included in the RECORD after my statement.

I urge my colleagues to look at this bill and to join me in expanding this vitally important and imminently successful program.

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

NATIONAL HEALTH SERVICE CORPS LOAN REPAYMENT ACT ENDORSEMENTS

American Academy of Nurse Practitioners.
American Academy of Pediatric Dentistry.
American Academy of Physician Assistants.
American Association of Colleges of Osteopathic Medicine.
American Association of Colleges of Pharmacy.
American Association for Dental Research.
American College of Nurse-Midwives.
American College of Nurse Practitioners.
American College of Osteopathic Family Physicians.
American Counseling Association.
American Dental Association.
American Dental Education Association.
American Medical Student Association.
American Optometric Association.
American Organization of Nurse Executives.
American Osteopathic Association.
American Psychological Association.
American Student Dental Association.
Association of Academic Health Centers.
Association of American Medical Colleges.
Association of Clinicians for the Underserved.
Association of Schools and Colleges of Optometry.
National Association of Community Health Centers.
National Association of Graduate-Professional Students.
National Rural Health Association.
Washington State Medical Association.

Mr. THOMAS. I am pleased to rise today to introduce the National Health Service Corps Loan Repayment Act of 2002 with my colleague from Washington, Ms. CANTWELL. Specifically, this legislation will exclude loan repayments made through the National Health Service Corps (NHSC) program from taxable income. Enactment of the National Health Service Corps Loan Repayment Act of 2002 would increase the amount of federal dollars available so more students could participate in the NHSC program.

Under current law, the NHSC provides scholarships, loan-repayments, and stipends for clinicians who agree to serve in national designated underserved urban and rural communities. The tax law changes in 1986 resulted in the IRS ruling that all NHSC payments were taxable. Congress eliminated the tax on the scholarship in 2001, but the loan-repayments and stipends continue to be taxed.

To assist loan repayment recipients with their tax burden, the NHSC loan program includes an additional payment equal to 39 percent of the loan repayment amount so the loan repayment recipient can pay his or her taxes. Close to 40 percent of the NHSC Federal loan repayment budget goes to pay taxes on the loan repayment ''income.'' The current situation should not be allowed to continue. Given the fiscal restraints we are facing, we must ensure that federal dollars are spent efficiently and effectively. It is obvious that today's NHSC loan repayment structure does not meet that goal. Our legislation resolves this issue.

For over 30 years, the National Health Service Corps (NHSC) program has literally been a lifeline for many underserved communities across the country that otherwise would not have a health care provider. I know this program is critically important to my

state of Wyoming and to many other rural states that has difficulties recruiting and retaining primary health care clinicians.

There are 2,800 Health Professional Shortage Areas, 740 Mental Health Shortage Areas and 1,200 Dental Health Shortage Areas now designated across the country. However, the NHSC program is meeting less than 13 percent of the current need for primary care providers and less than six percent of need for mental health and dental services. The National Health Service Corps Loan Repayment Act of 2002 would increase the number of students in the program and allow more provides to be placed in these shortage areas.

The National Health Service Corps Loan Repayment Act of 2002 is crucial to the future well being of many of our rural communities. I strongly urge all my colleagues to support this important legislation.

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By Mr. ROCKEFELLER:

S. 2655. A bill to amend titles XVIII and XIX of the Social Security Act to improve access to long-term care services under the Medicare and Medicaid Programs; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, I am pleased to introduce ''A First Step to Long-Term Care Act of 2002.'' This is a targeted long-term care package—a first step in the direction of long-term care reform. This legislation is about protecting assets, expanding home care, and modestly expanding Medicare to address the need for adult day health care.

Government coverage for nursing home care operates primarily, and most substantially, through the Medicaid program the safety net for the poor. Despite what many Americans believe or hope, Medicare is not designed or financed to cover long-term care needs. Medicare is, in fact, the universal health care program for the elderly, which covers all health care needs, save prescription drugs and long-term care.

Just this morning, I testified before the Senate Special Committee on Aging about the need to find real solutions to attack the issue of long-term care coverage. This legislation is a step in that direction.

Today, the home care benefit under Medicare offers skilled care and possibly home health aides on a part-time or intermittent basis. Beneficiaries also must be confined to the home, despite the fact that many could leave the home with assistance. ''A First Step to Long-Term Care Reform'' retains the requirement that leaving the home requires a considerable and taxing effort, but it obviates the difficult choice that patients face: either be imprisoned in their home or risk losing Medicare coverage.

We also need to begin to provide options to nursing home care under the Medicare benefit, such as the payment for adult day health care. This is something Senator SANTORUM has been working on as well. Doing so would provide a measure of respite and will reduce the bias towards institutionalizing those who can, with the right circumstances—stay at home.

Giving states relief from the mandate that they must pursue and sell-off the estates of Medicaid beneficiaries is another first step. In the short-term, we can provide states with the option of whether or not to do so. West Virginia is one State, in particular, which is seeking relief from this harsh and unnecessary mandate. I recognize Congressman NICK RAHALL, my good friend and colleague from West Virginia, for his leadership on this issue.

Mr. President, there are few issues that are as challenging as providing a solution for the long-term care problem, but we simply must have the courage to find solutions. 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. 2655

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''A First Step to Long-Term Care Act of 2002''.

**SEC. 2. MAKING MEDICAID ESTATE RECOVERY OPTIONAL.**

(a) IN GENERAL.—Section 1917(b)(1) of the Social Security Act (42 U.S.C. 1396p(b)(1)) is amended by striking ''shall seek'' each place it appears and inserting ''may seek''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of enactment of this Act. A State (as defined for purposes of title XIX of the Social Security Act) may apply such amendments to estates and sales occurring at such earlier date as the State may specify.

**SEC. 3. COVERAGE OF SUBSTITUTE ADULT DAY CARE SERVICES UNDER THE MEDICARE PROGRAM.**

(a) SUBSTITUTE ADULT DAY CARE SERVICES BENEFIT.—

(1) IN GENERAL.—Section 1861(m) of the Social Security Act (42 U.S.C. 1395x(m)) is amended—

(A) in the matter preceding paragraph (1), by inserting ''or (8)'' after ''paragraph (7)'';

(B) in paragraph (6), by striking ''and'' at the end;

(C) in paragraph (7), by adding ''and'' at the end; and

(D) by inserting after paragraph (7), the following new paragraph:

''(8) substitute adult day care services (as defined in subsection (ww));''.

(2) SUBSTITUTE ADULT DAY CARE SERVICES DEFINED.—Section 1861 of the Social Security Act (42 U.S.C. 1395x) is amended by adding at the end the following new subsection:

''Substitute Adult Day Care Services; Adult Day Care Facility

''(ww)(1)(A) The term 'substitute adult day care services' means the items and services described in subparagraph (B) that are furnished to an individual by an adult day care facility as a part of a plan under subsection (m) that substitutes such services for a portion of the items and services described in subparagraph (B)(i) furnished by a home health agency under the plan, as determined by the physician establishing the plan.

''(B) The items and services described in this subparagraph are the following items and services:

''(i) Items and services described in paragraphs (1) through (7) of subsection (m).

''(ii) Meals.

''(iii) A program of supervised activities designed to promote physical and mental health and furnished to the individual by the adult day care facility in a group setting for a period of not fewer than 4 and not greater than 12 hours per day.

''(iv) A medication management program (as defined in subparagraph (C)).

''(C) For purposes of subparagraph (B)(iv), the term 'medication management program' means a program of services, including medicine screening and patient and health care provider education programs, that provides services to minimize—

''(i) unnecessary or inappropriate use of prescription drugs; and

''(ii) adverse events due to unintended prescription drug-to-drug interactions.

''(2)(A) Except as provided in subparagraphs (B) and (C), the term 'adult day care facility' means a public agency or private organization, or a subdivision of such an agency or organization, that—

''(i) is engaged in providing skilled nursing services and other therapeutic services directly or under arrangement with a home health agency;

''(ii) meets such standards established by the Secretary to ensure quality of care and such other requirements as the Secretary finds necessary in the interest of the health and safety of individuals who are furnished services in the facility;

''(iii) provides the items and services described in paragraph (1)(B); and

''(iv) meets the requirements of paragraphs (2) through (8) of subsection (o).

''(B) Notwithstanding subparagraph (A), the term 'adult day care facility' shall include a home health agency in which the items and services described in clauses (ii) through (iv) of paragraph (1)(B) are provided—

''(i) by an adult day-care program that is licensed or certified by a State, or accredited, to furnish such items and services in the State; and

''(ii) under arrangements with that program made by such agency.

''(C) The Secretary may waive the requirement of a surety bond under paragraph (7) of subsection (o) in the case of an agency or organization that provides a comparable surety bond under State law.

''(D) For purposes of payment for home health services consisting of substitute adult day care services furnished under this title, any reference to a home health agency is deemed to be a reference to an adult day care facility.''.

(b) PAYMENT FOR SUBSTITUTE ADULT DAY CARE SERVICES.—Section 1895 of the Social Security Act (42 U.S.C. 1395fff) is amended by adding at the end the following new subsection:

''(f) PAYMENT RATE FOR SUBSTITUTE ADULT DAY CARE SERVICES.—In the case of home health services consisting of substitute adult day care services (as defined in section 1861(ww)), the following rules apply:

''(1) The Secretary shall estimate the amount that would otherwise be payable under this section for all home health services under that plan of care other than substitute adult day care services for a period specified by the Secretary.

''(2) The total amount payable for home health services consisting of substitute adult day care services under such plan may not exceed 95 percent of the amount estimated to be payable under paragraph (1) furnished under the plan by a home health agency.''.

(c) ADJUSTMENT IN CASE OF OVERUTILIZATION OF SUBSTITUTE ADULT DAY CARE SERVICES.—

(1) MONITORING EXPENDITURES.—Beginning with fiscal year 2004, the Secretary of Health and Human Services shall monitor the expenditures made under the Medicare Program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for home health services (as defined in section 1861(m) of such Act (42 U.S.C. 1395x(m))) for the fiscal year, including substitute adult day care services under paragraph (8) of such section (as added by subsection (a)), and shall compare such expenditures to expenditures that the Secretary estimates would have been made for home health services for that fiscal year if subsection (a) had not been enacted.

(2) REQUIRED REDUCTION IN PAYMENT RATE.—If the Secretary determines, after making the comparison under paragraph (1) and making such adjustments for changes in demographics and age of the Medicare beneficiary population as the Secretary determines appropriate, that expenditures for home health services under the Medicare Program, including such substitute adult day care services, exceed expenditures that would have been made under such program for home health services for a year if subsection (a) had not been enacted, then the Secretary shall adjust the rate of payment to adult day care facilities so that total expenditures for home health services under such program in a fiscal year does not exceed the Secretary's estimate of such expenditures if subsection (a) had not been enacted.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to items and services furnished on or after January 1, 2003.

**SEC. 4. CLARIFICATION OF THE DEFINITION OF HOMEBOUND FOR PURPOSES OF DETERMINING ELIGIBILITY FOR HOME HEALTH SERVICES UNDER THE MEDICARE PROGRAM.**

(a) CLARIFICATION.—Sections 1814(a) and 1835(a) of the Social Security Act (42 U.S.C. 1395f(a); 1395n(a)) are each amended by adding at the end the following: ''Notwithstanding the preceding sentences, in the case of an individual that requires technological assistance or the assistance of another individual to leave the home, the Secretary may not disqualify such individual from being considered to be 'confined to his home' based on the frequency or duration of the absences from the home.''.

(b) TECHNICAL AMENDMENTS.—(1) Sections 1814(a) and 1835(a) of the Social Security Act (42 U.S.C. 1395f(a); 1395n(a)) are each amended in the sixth sentence by striking ''leave home,'' and inserting ''leave home and''.

(2) Section 1814(a) of the Social Security Act (42 U.S.C. 1395f(a)), as amended by subsection (a), is amended by moving the seventh sentence, as added by section 322(a)(1) of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (appendix F, 114 Stat. 2763A–501), as enacted into law by section 1(a)(6) of Public Law 106–554, to the end of that section.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to items and services furnished on or after the date of enactment of this Act.

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By Ms. SNOWE:

S. 2656. A bill to require the Secretary of Transportation to develop and implement plan to provide security for cargo entering the United States or being transported in intrastate or interstate commerce; to the Committee on Commerce, Science, and Transportation.

Ms. SNOWE. Mr. President, I rise today to introduce legislation aimed at closing the dangerous cargo security loophole in our Nation's aviation security network.

Last year, with the passage of the Aviation and Security Act of 2001, we reinvented aviation security. We overturned the status quo, and I am proud of the work we did. We put the Federal Government in charge of security and we have made significant strides toward restoring the confidence of the American people that it is safe to fly.

We no longer have a system in which the financial ''bottom line'' interferes with protecting the flying public. We also addressed the gamut of critical issues, including baggage screening, additional air marshals, cockpit security, and numerous other issues.

But there is more work to be done. We must not lose focus. If we are to fully confront the aviation security challenges we face in the aftermath of September 11, we must remain aggressive. We need a ''must-do'' attitude, not excuses about what ''can't be done'', because we are only as safe as the weakest link in our aviation security system.

I believe one of the most troubling shortcomings, which persists to this day, is the lax cargo security infrastructure. The Department of Transportation Inspector General will warn in a soon-to-be-released report that the existing system is ''easily circumvented.'' This must not be allowed to stand.

Moreover, according to a June 10 Washington Post report, internal Transportation Security Administration documents warn of an increased risk of an attack designed to exploit this vulnerability because TSA has been focused primarily on meeting its new mandates to screen passengers and luggage.

This is clear evidence that cargo security needs to be bolstered. And time is not on our side. We must act now. The legislation I am introducing today is designed to tackle this issue by directing the Transportation Security Administration to submit a detailed cargo security plan to Congress that will address the shortcomings in the current system.

And while the TSA is designing and implementing this plan, my bill would require interim security measures to be put in place immediately. The interim security plan would include random screening of at least 5 percent of all cargo, an authentication policy designed to ensure that terrorists are not able to impersonate legitimate shippers, audits of each phase of the shipping process in order to police compliance, training and background checks for cargo handlers. and funding for screening and detection equipment.

On September 11, terrorists exposed the vulnerability of our commercial aviation network in the most horrific fashion. The Aviation and Transportation Security Act of 2001 was a major step in the right direction, but we must always stay one step ahead of those who would commit vicious acts of violence on our soil aimed at innocent men, women, and children.

This bill is designed to build on the foundation we set last year. I urge my colleagues to join me in addressing this critical matter.

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By Mr. DEWINE:

S. 2659. A bill to amend the Foreign Intelligence Surveillance Act of 1978 to modify the standard of proof for issuance of orders regarding non-United States persons from probable cause to reasonable suspicion; to the Select Committee on Intelligence.

Mr. DEWINE. Mr. President, 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. 2659

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

**SECTION 1. MODIFICATION OF BURDEN OF PROOF FOR ISSUANCE OF ORDERS ON NON-UNITED STATES PERSONS UNDER FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.**

(a) ORDERS OF ELECTRONIC SURVEILLANCE.—Section 105 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1805) is amended—

(1) in subsection (a), by striking paragraph (3) and inserting the following new paragraph (3):

''(3) on the basis of facts submitted by the applicant—

''(A) in the case of a target of electronic surveillance that is a United States person, there is probable cause to believe that—

''(i) the target is a foreign power or an agent of a foreign power, provided that no United States person may be considered a foreign power or an agent of a foreign power solely upon the basis of activities protected by the first amendment to the Constitution of the United States; and

''(ii) each of the facilities or places at which the electronic surveillance is directed is being used, or is about to be used, by a foreign power or an agent of a foreign power; or

''(B) in the case of a target of electronic surveillance that is a non-United States person, there is reasonable suspicion to believe that—

''(i) the target is a foreign power or an agent of a foreign power; and

''(ii) each of the facilities or places at which the electronic surveillance is directed is being used, or is about to be used, by a foreign power or an agent of a foreign power;'';

(2) in subsection (b), by inserting ''or reasonable suspicion'' after ''probable cause''; and

(3) in subsection (e)(2), by inserting '', or reasonable suspicion in the case of a non-United States person,'' after ''probable cause''.

(b) PHYSICAL SEARCHES.—Section 304 of that Act (50 U.S.C. 1824) is amended—

(1) by striking paragraph (3) and inserting the following new paragraph (3):

''(3) on the basis of facts submitted by the applicant—

''(A) in the case of a target of a physical search that is a United States person, there is probable cause to believe that—

''(i) the target is a foreign power or an agent of a foreign power, except that no United States person may be considered a foreign power or an agent of a foreign power solely upon the basis of activities protected by the first amendment to the Constitution of the United States; and

''(ii) the premises or property to be searched is owned, used, possessed by, or is

in transit to or from an agent of a foreign power or foreign power; or

''(B) in the case of a target of a physical search that is a non-United States person, there is reasonable suspicion to believe that—

''(i) the target is a foreign power or an agent of a foreign power; and

''(ii) the premises or property to be searched is owned, used, possessed by, or is in transit to or from an agent of a foreign power or foreign power;'';

(2) in subsection (b), by inserting ''or reasonable suspicion'' after ''probable cause''; and

(3) in subsection (d)(2), by inserting '', or reasonable suspicion in the case of a non-United States person,'' after ''probable cause''.

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By Mr. LUGAR (for himself and Mr. HARKIN):

S. 2660. A bill to amend the Richard B. Russell National School Lunch Act to increase the number of children participating in the summer food service program; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. LUGAR. Mr. President, I rise today to introduce legislation to amend the Richard B. Russell National School Lunch Act that will streamline, nationwide, management of the Summer Food Service Program. The proposed administrative changes are expected to increase the number of local organizations stepping forward to sponsor a summer feeding program in their communities and, thus, serve many more children in poor neighborhoods.

Children in low-income communities are eligible to receive free or reduced price meals during the school year through the National School Lunch and Breakfast Programs. During the 2000–2001 school year, 15.3 million children received such assistance. But, unless children attend school during the summer, access to meals through these programs ends.

The Summer Food Service Program, which is administered at the federal level by USDA, helps to fill the resulting hunger gap and helps children get the nutrition they need to learn, play and grow throughout the summer months. This is an entitlement program which funds the meal and snack service provided by the sponsors of diverse, summer activity programs.

Although the Summer Food Service Program is the largest Federal resource used to feed children during the summer months, we know that there is substantial unmet need. Among the more than 15 million children getting free and reduced-price meals during the school year, only about 20 percent of these three million children received free meals during the summer months.

State administering agencies report that a major obstacle to serving more low-income children is the relatively small and static number of local organizations serving as program sponsors or meal providers. During the last several years, the total number of Summer Food Service Program sponsors across the country ranged between 28,000 and a little over 31,000.

Two important factors contribute to this situation. Many schools and summer recreation programs remain unaware that federal funding is available to provide free meals and snacks to needy children. Others find the requirements for budget and cost reporting, which are different from those used in the School Lunch and Breakfast Programs, to be unusually complex and burdensome.

The administrative obstacles are both familiar to the Congress and one we have taken an initial step to address. In early fiscal year 2001, I authored a provision of the Consolidated Appropriations Act that authorizes a pilot to try out simpler accounting and reimbursement procedures. The pilot replaces a sponsor's usual obligation to provide detailed and separate documentation of actual administrative and operating costs up to specified limits. In practice, this documentation has little effect, since a large majority of sponsors qualify for the maximum reimbursement. In the pilot states, sponsors report the number of meals and are reimbursed at a flat rate of $2.50 per meal. This allows sponsors in the 13 pilot States to combine both cost categories and follow procedure used in the school meals programs for reimbursement.

Although the pilot test is not over, the initial results are positive. The Food Research Acton Center released findings today in their annual summer nutrition status report, Hunger Does Not Take a Vacation. The number of sponsors increased by eight percent in the pilot areas compared to one percent across all other states. Most important, children's participation in the Summer Food Service Program increase by 8.9 percent across the pilot States. This contrasts with a 3.3 percent decline for the rest of the nation.

USDA's Secretary Veneman and Under Secretary Bost used their authority to facilitate sponsorship and announced, last March, that all states may seek waivers to adopt more streamlined administrative procedures.

I think it is now time for Congress to step up and take action to further improve the capacity of the Summer Food Service Program. I am introducing a new bill, along with Senator HARKIN, the Chairman of the Agriculture Committee. Our proposed legislation makes the procedural simplifications in the pilot a part of the Program's regular operating rules. This eliminates the need for waiver requests and waiver approval.

If we are truly committed to the principle that no child will be left behind, this is a small step that can make a large difference in encouraging local organizations to sponsor a summer feeding program and in meeting the nutrition needs of low-income children.

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. 2660

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

**SECTION 1. SUMMER FOOD SERVICE PROGRAM FOR CHILDREN.**

(a) FOOD SERVICE.—Section 13(b)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761(b)(1)) is amended by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—

''(i) PRIVATE NONPROFIT ORGANIZATIONS.—Subject to subparagraphs (B) and (C), payments to a private nonprofit organization described in subsection (a)(7) shall be equal to the full cost of food service operations (which cost shall include the costs of obtaining, preparing, and serving food, but shall not include administrative costs).

''(ii) SERVICE INSTITUTIONS.—Payments to a service institution shall be equal to the maximum amounts for food service under subparagraphs (B) and (C).''.

(b) ADMINISTRATIVE COSTS.—Section 13(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761(b)) is amended by striking paragraph (3) and inserting the following:

''(3) ADMINISTRATIVE COSTS.—

''(A) PRIVATE NONPROFIT INSTITUTIONS.—

''(i) BUDGET.—A private nonprofit organization described in subsection (a)(7), when applying for participation in the program, shall submit a complete budget for administrative costs related to the program, which shall be subject to approval by the State.

''(ii) AMOUNT.—Payment to a private nonprofit organization described in subsection (a)(7) for administrative costs shall be equal to the full amount of State-approved administrative costs incurred, except that the payment to the service institution may not exceed the maximum allowable levels determined by the Secretary under the study required under paragraph (4).

''(B) SERVICE INSTITUTIONS.—Payment to a service institution for administrative costs shall be equal to the maximum allowable levels determined by the Secretary under the study required under paragraph (4).''.

(c) CONFORMING AMENDMENTS.—

(1) Section 13(a)(7)(A) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1761(a)(7)(A)) is amended—

(A) by striking ''Private'' and inserting ''Subject to paragraphs (1) and (3) of subsection (b), private''; and

(B) by striking ''other service institutions'' and inserting ''service institutions''.

(2) Section 18 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769) is amended by striking subsection (f).

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section take effect on October 1, 2003.

(2) SUMMER FOOD PILOT PROJECTS.—The amendment made by subsection (c)(2) takes effect on May 1, 2004.

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By Mr. DEWINE:

S. 2661. A bill to amend title 18, United States Code, to prohibit video voyeurism in the special maritime and territorial jurisdiction of the United States; to the Committee on the Judiciary.

Mr. DEWINE. Mr. President, 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. 2661

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Video Voyeurism Act of 2002''.

**SEC. 2. PROHIBITION OF VIDEO VOYEURISM.**

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 87 the following new chapter:

**''CHAPTER 88—PRIVACY**

''Sec.
''1801. Video voyeurism.

**''§ 1801. Video voyeurism**

''(a) Whoever, except as provided in subsection (b), in the special maritime and territorial jurisdiction of the United States, videotapes, photographs, films, or records by any electronic means, any nonconsenting person, in circumstances in which that person has a reasonable expectation of privacy—

''(1) if that person is totally nude, clad in undergarments, or in a state of undress that exposes the genitals, pubic area, buttocks, or female breast; or

''(2) under that person's clothing so as to expose the genitals, pubic area, buttocks, or female breast;

shall be fined under this title or imprisoned not more than one year, or both.

''(b) Subsection (a) does not apply to conduct—

''(1) of law enforcement officers pursuant to a criminal investigation which is otherwise lawful; or

''(2) of correctional officials for security purposes or for investigations of alleged misconduct involving a person committed to their custody.''.

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of part I of title 18, United States Code, is amended by inserting after the item relating to chapter 87 the following new item:

**''88. Privacy ..... 1801''.**

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By Ms. COLLINS (for herself, Mr. WARNER, Ms. LANDRIEU, and Mr. ALLEN):

S. 2662. A bill to amend the Internal Revenue Code of 1986 to increase the above-the-line deduction for teacher classroom supplies and to expand such deduction to include qualified professional development expenses; to the Committee on Finance.

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## TEACHER TAX RELIEF ACT OF 2002

Ms. COLLINS. Mr. President, I am pleased today to rise to introduce the Teacher Tax Relief Act 2002.

I am joined with my colleagues, Senator WARNER, Senator LANDRIEU, and Senator ALLEN in introducing this legislation to help our teachers who selflessly reach deep into their own pockets to purchase supplies for their classrooms or to engage in professional development.

Senators WARNER, LANDRIEU, and I have long led the effort to recognize the invaluable services that teachers provide each and every day to our children and to our communities. We were very pleased when earlier this year the economic recovery package included our provision to create an above-the-line deduction for teachers who purchase classroom supplies.

This tax relief is significant in that it recognizes for the first time the extra mile that our dedicated teachers go in order to improve the classroom experience for their students.

Today, we introduce legislation that builds upon the relief enacted earlier this year. Our bill would double the amount that a teacher can deduct—from $250 to $500—and includes professional development expenses in the deduction. Our bill would also make this modest tax relief permanent whereas the provision in the economic stimulus package is scheduled to sunset in 2 years.

While our bill provides financial assistance to educators, its ultimate beneficiaries will be our students. Other than involved parents, a well-qualified teacher is the single most important prerequisite for student success. Educational researchers have demonstrated, time and again, the strong correlation between qualified teachers and successful students. Moreover, educators themselves understand just how important professional development is to maintaining and expanding their level of confidence.

When I meet with teachers from Maine, they repeatedly tell me of their desire and need for more professional development. But they also tell me that, unfortunately, school budgets are so tight that frequently the school districts cannot provide that assistance that a teacher needs in order to take that additional course or pursue that advanced degree. As President Bush aptly put it: ''Teachers sometimes lead with their hearts and pay with their wallets.''

A recent survey by the National Center for Education Statistics highlights the benefits of professional development. The survey found that most teachers who had participated in more than 8 hours of professional development during the previous year felt ''very well prepared'' in the area in which the instruction occurred. Obviously, teachers who are taking additional course work, and pursuing advanced degrees, become even more valuable in the classroom.

Increasing the deduction for teachers who buy classroom supplies is also a critical component of my legislation. So often teachers in Maine, and throughout the country, spend their own money to improve the classroom experiences of their students. While most of us are familiar with the National Education Association's estimate that teachers spend, on average, $400 a year on classroom supplies, a new survey demonstrates that they are spending even more than that. According to a recent report from Quality Education Data, the average teacher spends over $520 a year out of pocket on school supplies.

I have spoken to dozens of teachers in Maine who have told me of the books, rewards, supplies, and other materials they routinely purchase for their students.

Idella Harter, president of the Maine Education Association, is one such teacher. She told me of spending over $1,000 in 1 year, reaching deep into her pocket to buy materials, supplies, and other treats for her students. At the end of the year, she started to add up all of the receipts that she had saved, and she was startled to discover they exceeded $1,000. Idella told me, at that point she decided she better stop adding them up.

Debra Walker is another dedicated teacher in Maine who teaches kindergarten and first grade in Milo. She has taught for over 25 years. Year after year, she spends hundreds of dollars on books, bulletin boards, computer software, crayons, construction paper, tissue paper, stamps and ink pads. She even donated her own family computer for use by her class. She described it well by saying: ''These are the extras that are needed to make learning fun for children and to create a stimulating learning environment.''

Another example is Tyler Nutter, a middle school math and reading teacher from North Berwick. He is a new recruit to the teaching profession. After teaching for just 2 years, Tyler has incurred substantial ''startup'' fees as he builds his own collection of needed teaching supplies. In his first years on the job, he has spent well over $500 out of pocket each year, purchasing books and other materials that are essential to his teaching program.

Tyler tells me that he is still paying off the loans that he incurred at the University of Maine-Farmington. He has car payments and a wedding to pay for. He is saving for a house. And he someday hopes to get an advanced degree. Nevertheless, despite the relatively low pay he is receiving as a new teacher, he says: ''You feel committed to getting your students what they need, even if it is coming out of your own pocket.''

That is the kind of dedication that I see time and again in the teachers in Maine. I have visited almost 100 schools in Maine, and everywhere I go, I find teachers who are spending their own money to improve their professional qualifications and to improve the educational experiences of their students by supplementing classroom supplies.

The relief we passed overwhelmingly earlier this year was a step in the right direction. As Tyler told me, ''It's a nice recognition of the contributions that many teachers have made.'' We are committed to building on this good work.

Again, I thank the senior Senator from Virginia, Mr. WARNER, for being a leader with me on this bill. We invite all of our colleagues to join us in recognizing our teachers for a job well done.

Mr. WARNER. Mr. President, I join my distinguished colleague from Maine. We have fought together for this measure for several years now. One of the great rewards has been an inducement for this Senator. The Senator just spoke of visiting 100 schools.