

(5) OFFICE.—The term “Office” means the Office of Highlands Stewardship established under section 6(a).

(6) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(7) STEWARDSHIP AREA.—The term “Stewardship Area” means the Highlands Stewardship Area established under section 5(a).

(8) STUDY.—The term “study” means the Highlands Regional Study conducted by the Forest Service in 1990.

(9) UPDATE.—The term “update” means the New York-New Jersey Highlands Regional Assessment Update conducted by the Forest Service in 2001.

(10) WORK GROUP.—The term “Work Group” means the Highlands Stewardship Area Work Group established under section 6(c).

#### SEC. 5. ESTABLISHMENT OF HIGHLANDS STEWARDSHIP AREA.

(a) ESTABLISHMENT.—The Secretary and the Secretary of the Interior, shall establish the Highlands Stewardship Area in the Highlands region.

(b) CONSULTATION AND RESOURCE ANALYSES.—In establishing the Stewardship Area, the Secretary and the Secretary of the Interior shall—

(1) consult with appropriate officials of the Federal Government, Highlands States, regional entities, and units of local government; and

(2) utilize the study, the update, and relevant State resource analyses.

(c) MAP.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary and the Secretary of the Interior shall prepare a map depicting the Stewardship Area.

(2) AVAILABILITY.—The map shall be on file and available for public inspection at the appropriate offices of the Secretary and the Secretary of the Interior.

#### SEC. 6. OFFICE OF HIGHLANDS STEWARDSHIP.

(a) ESTABLISHMENT.—The Secretary, in consultation with the Under Secretary of Agriculture for Natural Resources and Environment, the Chief of the Natural Resources Conservation Service, the Administrator of the Farm Service Agency, the Chief of the Forest Service, and the Under Secretary for Rural Development, shall establish within the Department of Agriculture the Office of Highlands Stewardship.

(b) DUTIES.—The Office shall implement in the Stewardship Area—

(1) the strategies of the study and update; and

(2) in consultation with the Highlands States, other studies consistent with the purposes of this Act.

(c) HIGHLANDS STEWARDSHIP AREA WORK GROUP.—

(1) ESTABLISHMENT.—The Secretary shall establish an advisory committee to be known as the “Highlands Stewardship Area Work Group” to assist the Office in implementing the strategies of the studies and update referred to in subsection (b).

(2) MEMBERSHIP.—The Work Group shall be comprised of members that represent various public and private interests throughout the Stewardship Area, including private landowners and representatives of private conservation groups, academic institutions, local governments, and economic interests, to be appointed by the Secretary, in consultation with the Governors of the Highlands States.

(3) DUTIES.—The Work Group shall advise the Office, the Secretary, and the Secretary of the Interior on priorities for—

(A) projects carried out with financial or technical assistance under this section;

(B) land conservation partnership projects carried out under section 7;

(C) research relating to the Highlands region; and

(D) policy and educational initiatives necessary to implement the findings of the study and update.

(d) FINANCIAL AND TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Office may provide financial and technical assistance to an eligible entity to carry out a project to protect, restore, preserve, promote, or interpret the natural, agricultural, historical, cultural, recreational, or economic resources of the Stewardship Area.

(2) PRIORITY.—In determining the priority for financial and technical assistance under paragraph (1), the Office shall consider the recommendations of the study and update.

(3) CONDITIONS.—

(A) IN GENERAL.—The provision of financial assistance under this subsection shall be subject to the condition that the eligible entity enter into an agreement with the Office that provides that if the eligible entity converts, uses, or disposes of the project for a purpose inconsistent with the purpose for which the financial assistance was provided, as determined by the Office, the United States shall be entitled to reimbursement from the eligible entity in an amount that is, as determined at the time of conversion, use, or disposal, the greater of—

(i) the total amount of the financial assistance provided for the project by the Federal Government under this section; or

(ii) the amount by which the financial assistance has increased the value of the land on which the project is carried out.

(B) COST-SHARING REQUIREMENT.—The Federal share of the cost of carrying out a project under this subsection shall not exceed 50 percent of the total cost of the project.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$7,000,000 for each of fiscal years 2004 through 2010, to remain available until expended.

#### SEC. 7. LAND CONSERVATION PARTNERSHIP PROJECTS.

(a) IN GENERAL.—The Secretary of the Interior, in consultation with the Secretary, the Office, and the Governors of the Highlands States, shall annually designate land conservation partnership projects that are eligible to receive financial assistance under this section.

(b) CONDITIONS.—

(1) IN GENERAL.—To be eligible for financial assistance under subsection (a), a non-Federal entity shall enter into an agreement with the Secretary of the Interior that—

(A) identifies—

(i) the non-Federal entity that will own or hold the land or interest in land; and

(ii) the source of funds to provide the non-Federal share under paragraph (2);

(B) provides that if the non-Federal entity converts, uses, or disposes of the project for a purpose inconsistent with the purpose for which the assistance was provided, as determined by the Secretary of the Interior, the United States shall be entitled to reimbursement from the non-Federal entity in an amount that is, as determined at the time of conversion, use, or disposal, the greater of—

(i) the total amount of the financial assistance provided for the project by the Federal Government under this section; or

(ii) the amount by which the financial assistance increased the value of the land or interest in land; and

(C) provides that use of the financial assistance will be consistent with—

(i) the open space plan or other plan of the Highlands State in which the land conservation partnership project is being carried out; and

(ii) the findings and recommendations of the study and update.

(2) COST-SHARING REQUIREMENT.—The Federal share of the cost of carrying out a land conservation partnership project under this subsection shall not exceed 50 percent of the total cost of the land conservation partnership project.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of the Interior from the Treasury or the Land and Water Conservation Fund to carry out this section \$25,000,000 for each of fiscal years 2004 through 2013, to remain available until expended.

(2) USE OF LAND AND WATER CONSERVATION FUND.—Appropriations from the Land and Water Conservation Fund under paragraph (1) shall be considered to be for Federal purposes under section 5 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–7).

### STATEMENTS ON SUBMITTED RESOLUTIONS

#### SENATE CONCURRENT RESOLUTION 128—HONORING THE INVENTION OF MODERN AIR CONDITIONING BY DR. WILLIS H. CARRIER ON THE OCCASION OF ITS 100TH ANNIVERSARY

Mr. DODD (for himself and Mr. LIBERMAN) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 128

Whereas on July 17, 1902, Dr. Willis H. Carrier submitted designs to a printing plant in Brooklyn, New York, for equipment to control temperature, humidity, ventilation, and air quality, marking the birth of modern air conditioning;

Whereas air conditioning has become an integral technology enabling the advancement of society through improvements to the Nation's health and well-being, manufacturing processes, building capacities, research, medical capabilities, food preservation, art and historical conservation, and general productivity and indoor comfort;

Whereas Dr. Carrier debuted air conditioning technology for legislative activity in the House of Representatives Chamber in 1928, and the Senate Chamber in 1929;

Whereas the air conditioning industry now totals \$36,000,000,000 on a global basis and employs more than 700,000 people in the United States; and

Whereas the year 2002 marks the 100th anniversary of modern air conditioning: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress honors the invention of modern air conditioning by Dr. Willis H. Carrier on the occasion of its 100th anniversary.*

Mr. DODD. Mr. President, I rise today to mark the 100th anniversary of the modern air conditioner, which was invented by Dr. Willis H. Carrier in 1902. I join with my colleague Senator LIBERMAN to submit a Resolution honoring this achievement.

It was 100 years ago today that a 25 year old engineer named Willis Carrier, while trying to address a printing problem caused by heat and humidity at the Sackett-Williams Lithographing

and Publishing Company of Brooklyn, developed a cooling solution which ended up revolutionizing the world we live in.

Dr. Carrier had grown up an only child, surrounded by a large extended family on a farm in Angola, NY. He worked three jobs during his college years at Cornell to pay for his room and board, and showed a work ethic and tirelessness that carried over into his career as a mechanical engineer. His first job after graduation was with the Buffalo Forge Company planning heating mechanisms for the drying of coffee and lumber. It was soon after a promotion to head of the Forge Company's department of experimental engineering that he made his breakthrough with the control of heat and humidity for the Sackett-Williams Company that led to modern air conditioning.

Several years later, he and six friends formed their own company in Syracuse, NY, Carrier, that now has current annual revenues of \$9 billion and clients in 170 countries. Indeed, not only has this company grown over the past century, but the expanding role and impact of modern air conditioning has been nothing short of tremendous. Air conditioning has afforded us such a dramatic improvement in quality of life that it is difficult now to conceive of its absence. It has increased our economic productivity and output, our comfort and our mood, and in some cases, our general health and welfare. Some have suggested that air conditioning is even responsible for keeping Washington as our Nation's capital, when long, unbearable summer months not only shortened the legislative session, but threatened to send politicians looking for a more climatically hospitable city to conduct their business in. Dr. Carrier brought air-conditioning to the House Chamber in 1928 and the Senate Chamber in 1929.

Indeed, on a 93 degree day such as today, I think we all see the special value of Dr. Carrier's life's work, and I ask my colleagues to join me remembering him today, and giving our thanks for modern air conditioner.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4299. Mr. REID (for Mr. DORGAN (for himself, Mr. WELLSTONE, Mr. JEFFORDS, Ms. STABENOW, Ms. COLLINS, Mr. LEVIN, Mr. JOHNSON, Mr. MILLER, Mr. DURBIN, Mr. FEINGOLD, and Mr. HARKIN)) proposed an amendment to the bill S. 812, to amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals.

SA 4300. Mr. REID (for Mr. DORGAN (for himself, Mr. WELLSTONE, Mr. JEFFORDS, Ms. STABENOW, Ms. COLLINS, Mr. LEVIN, Mr. JOHNSON, Mr. MILLER, Mr. DURBIN, and Mr. FEINGOLD)) proposed an amendment to amendment SA 4299 proposed by Mr. REID (for Mr. DORGAN (for himself, Mr. WELLSTONE, Mr. JEFFORDS, Ms. STABENOW, Ms. COLLINS, Mr. LEVIN, Mr. JOHNSON, Mr. MILLER, Mr. DURBIN, Mr. FEINGOLD, and Mr. HARKIN)) to the bill (S. 812) supra.

SA 4301. Mr. COCHRAN (for himself, Mr. BREAUX, Mr. ROBERTS, Mr. SANTORUM, Mr. NICKLES, and Mr. HUTCHINSON) proposed an amendment to amendment SA 4299 proposed by Mr. REID (for Mr. DORGAN (for himself, Mr. WELLSTONE, Mr. JEFFORDS, Ms. STABENOW, Ms. COLLINS, Mr. LEVIN, Mr. JOHNSON, Mr. MILLER, Mr. DURBIN, Mr. FEINGOLD, and Mr. HARKIN)) to the bill (S. 812) supra.

SA 4302. Mr. THOMAS (for himself and Mr. ROBERTS) submitted an amendment intended to be proposed to amendment SA 4299 proposed by Mr. REID (for Mr. DORGAN (for himself, Mr. WELLSTONE, Mr. JEFFORDS, Ms. STABENOW, Ms. COLLINS, Mr. LEVIN, Mr. JOHNSON, Mr. MILLER, Mr. DURBIN, Mr. FEINGOLD, and Mr. HARKIN)) to the bill (S. 812) supra; which was ordered to lie on the table.

SA 4303. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 812, supra; which was ordered to lie on the table.

SA 4304. Mr. SMITH, of New Hampshire (for himself, Mr. ALLARD, Mr. GRASSLEY, Mr. HATCH, Mr. BURNS, Mr. CRAIG, Mr. CRAPO, and Mr. SANTORUM) submitted an amendment intended to be proposed by him to the bill S. 812, supra; which was ordered to lie on the table.

SA 4305. Mr. REID (for Ms. STABENOW) proposed an amendment to the bill S. 812, supra.

SA 4306. Mrs. FEINSTEIN (for herself and Mrs. HUTCHINSON) proposed an amendment to the bill H.R. 5011, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2003, and for other purposes.

#### TEXT OF AMENDMENTS

**SA 4299.** Mr. REID (for Mr. DORGAN (for himself, Mr. WELLSTONE, Mr. JEFFORDS, Ms. STABENOW, Ms. COLLINS, Mr. LEVIN, Mr. JOHNSON, Mr. MILLER, Mr. DURBIN, Mr. FEINGOLD, and Mr. HARKIN)) proposed an amendment to the bill S. 812), to amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals; and follows:

S. 812

At the end, add the following:

#### **TITLE —IMPORTATION OF PRESCRIPTION DRUGS**

#### **SEC. —01. IMPORTATION OF PRESCRIPTION DRUGS.**

(a) IN GENERAL.—Chapter VIII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381 et seq.) is amended by striking section 804 and inserting the following:

#### **“SEC. 804. IMPORTATION OF PRESCRIPTION DRUGS.**

“(a) DEFINITIONS.—In this section:

“(1) IMPORTER.—The term ‘importer’ means a pharmacist or wholesaler.

“(2) PHARMACIST.—The term ‘pharmacist’ means a person licensed by a State to practice pharmacy, including the dispensing and selling of prescription drugs.

“(3) PRESCRIPTION DRUG.—The term ‘prescription drug’ means a drug subject to section 503(b), other than—

“(A) a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));

“(B) a biological product (as defined in section 351 of the Public Health Service Act (42 U.S.C. 262));

“(C) an infused drug (including a peritoneal dialysis solution);

“(D) an intravenously injected drug; or

“(E) a drug that is inhaled during surgery.

“(4) QUALIFYING LABORATORY.—The term ‘qualifying laboratory’ means a laboratory

in the United States that has been approved by the Secretary for the purposes of this section.

“(5) WHOLESALER.—

“(A) IN GENERAL.—The term ‘wholesaler’ means a person licensed as a wholesaler or distributor of prescription drugs in the United States under section 503(e)(2)(A).

“(B) EXCLUSION.—The term ‘wholesaler’ does not include a person authorized to import drugs under section 801(d)(1).

“(b) REGULATIONS.—The Secretary, after consultation with the United States Trade Representative and the Commissioner of Customs, shall promulgate regulations permitting pharmacists and wholesalers to import prescription drugs from Canada into the United States.

“(c) LIMITATION.—The regulations under subsection (b) shall—

“(1) require that safeguards be in place to ensure that each prescription drug imported under the regulations complies with section 505 (including with respect to being safe and effective for the intended use of the prescription drug), with sections 501 and 502, and with other applicable requirements of this Act;

“(2) require that an importer of a prescription drug under the regulations comply with subsections (d)(1) and (e); and

“(3) contain any additional provisions determined by the Secretary to be appropriate as a safeguard to protect the public health or as a means to facilitate the importation of prescription drugs.

“(d) INFORMATION AND RECORDS.—

“(1) IN GENERAL.—The regulations under subsection (b) shall require an importer of a prescription drug under subsection (b) to submit to the Secretary the following information and documentation:

“(A) The name and quantity of the active ingredient of the prescription drug.

“(B) A description of the dosage form of the prescription drug.

“(C) The date on which the prescription drug is shipped.

“(D) The quantity of the prescription drug that is shipped.

“(E) The point of origin and destination of the prescription drug.

“(F) The price paid by the importer for the prescription drug.

“(G) Documentation from the foreign seller specifying—

“(i) the original source of the prescription drug; and

“(ii) the quantity of each lot of the prescription drug originally received by the seller from that source.

“(H) The lot or control number assigned to the prescription drug by the manufacturer of the prescription drug.

“(I) The name, address, telephone number, and professional license number (if any) of the importer.

“(J)(i) In the case of a prescription drug that is shipped directly from the first foreign recipient of the prescription drug from the manufacturer:

“(I) Documentation demonstrating that the prescription drug was received by the recipient from the manufacturer and subsequently shipped by the first foreign recipient to the importer.

“(II) Documentation of the quantity of each lot of the prescription drug received by the first foreign recipient demonstrating that the quantity being imported into the United States is not more than the quantity that was received by the first foreign recipient.

“(III)(aa) In the case of an initial imported shipment, documentation demonstrating that each batch of the prescription drug in the shipment was statistically sampled and tested for authenticity and degradation.