

S. 2771

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 "John F. Kennedy Center Plaza Authorization Act of 2002".

SEC. 2. JOHN F. KENNEDY CENTER PLAZA.

The John F. Kennedy Center Act (20 U.S.C. 76h et seq.) is amended—

(1) by redesignating sections 12 and 13 as sections 13 and 14, respectively; and

(2) by inserting after section 11 the following:

"SEC. 12. JOHN F. KENNEDY CENTER PLAZA.

"(a) DEFINITIONS.—In this section:

"(1) AIR RIGHT.—The term 'air right' means a real property interest conveyed by deed, lease, or permit for the use of space between streets and alleys within the boundaries of the Project.

"(2) CENTER.—The term 'Center' means the John F. Kennedy Center for the Performing Arts.

"(3) GREEN SPACE.—The term 'green space' means an area within the boundaries of the Project or affected by the Project that is covered by grass, trees, or other vegetation.

"(4) PLAZA.—The term 'Plaza' means improvements to the area surrounding the John F. Kennedy Center building that are—

"(A) carried out under the Project; and

"(B) comprised of—

"(i) transportation elements (including roadways, sidewalks, and bicycle lanes); and

"(ii) nontransportation elements (including landscaping, green space, open public space, and water, sewer, and utility connections).

"(5) PROJECT.—

"(A) IN GENERAL.—The term 'Project' means the Plaza project, as described in the TEA-21 report, providing for—

"(i) construction of the Plaza; and

"(ii) improved bicycle, pedestrian, and vehicular access to and around the Center.

"(B) INCLUSIONS.—The term 'Project'—

"(i) includes—

"(I) planning, design, engineering, and construction of the Plaza;

"(II) buildings to be constructed on the Plaza; and

"(III) related transportation improvements; and

"(ii) may include any other element of the Project identified in the TEA-21 report.

"(6) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.

"(7) TEA-21 REPORT.—The term 'TEA-21 report' means the report of the Secretary submitted to Congress under section 1214 of the Transportation Equity Act for the 21st Century (20 U.S.C. 76j note; 112 Stat. 204).

"(b) RESPONSIBILITIES OF THE SECRETARY.—

"(1) IN GENERAL.—The Secretary shall be responsible for the Project and may carry out such activities as are necessary to construct the Project, other than buildings to be constructed on the Plaza, substantially as described in the TEA-21 report.

"(2) PLANNING, DESIGN, ENGINEERING, AND CONSTRUCTION.—The Secretary shall be responsible for the planning, design, engineering, and construction of the Project, other than buildings to be constructed on the Plaza.

"(3) AGREEMENTS WITH THE BOARD AND OTHER AGENCIES.—The Secretary shall enter into memoranda of agreement with the Board and any appropriate Federal or other governmental agency to facilitate the planning, design, engineering, and construction of the Project.

"(4) CONSULTATION WITH THE BOARD.—The Secretary shall consult with the Board to maximize efficiencies in planning and exe-

cuting the Project, including the construction of any buildings on the Plaza.

"(5) CONTRACTS.—Subject to the approval of the Board, the Secretary may enter into contracts on behalf of the Center relating to the planning, design, engineering, and construction of the Project.

"(c) RESPONSIBILITIES OF THE BOARD.—

"(1) IN GENERAL.—The Board may carry out such activities as are necessary to construct buildings on the Plaza for the Project.

"(2) RECEIPT OF TRANSFERS OF AIR RIGHTS.—The Board may receive from the District of Columbia such transfers of air rights as are necessary for the planning, design, engineering, and construction of the Project.

"(3) CONSTRUCTION OF BUILDINGS.—The Board—

"(A) may construct, with nonappropriated funds, buildings on the Plaza for the Project; and

"(B) shall be responsible for the planning, design, engineering, and construction of the buildings.

"(4) ACKNOWLEDGMENT OF CONTRIBUTIONS.—

"(A) IN GENERAL.—The Board may acknowledge private contributions used in the construction of buildings on the Plaza for the Project in the interior of the buildings, but may not acknowledge private contributions on the exterior of the buildings.

"(B) APPLICABILITY OF OTHER REQUIREMENTS.—Any acknowledgement of private contributions under this paragraph shall be consistent with the requirements of section 4(b).

"(d) RESPONSIBILITIES OF THE DISTRICT OF COLUMBIA.—

"(1) MODIFICATION OF HIGHWAY SYSTEM.—Notwithstanding any State or local law, the Mayor of the District of Columbia, in consultation with the National Capital Planning Commission and the Secretary, shall have exclusive authority, as necessary to meet the requirements and needs of the Project, to amend or modify the permanent system of highways of the District of Columbia.

"(2) CONVEYANCES.—

"(A) AUTHORITY.—Notwithstanding any State or local law, the Mayor of the District of Columbia shall have exclusive authority, as necessary to meet the requirements and needs of the Project, to convey or dispose of any interests in real estate (including air rights and air space (as that term is defined by District of Columbia law)) owned or controlled by the District of Columbia.

"(B) CONVEYANCE TO THE BOARD.—Not later than 90 days after the date of receipt of notification from the Secretary of the requirements and needs of the Project, the Mayor of the District of Columbia shall convey or dispose of to the Board, without compensation, interests in real estate described in subparagraph (A).

"(3) AGREEMENTS WITH THE BOARD.—The Mayor of the District of Columbia shall have the authority to enter into memoranda of agreement with the Board and any Federal or other governmental agency to facilitate the planning, design, engineering, and construction of the Project.

"(e) OWNERSHIP.—

"(1) ROADWAYS AND SIDEWALKS.—Upon completion of the Project, responsibility for maintenance and oversight of roadways and sidewalks modified or improved for the Project shall remain with the owner of the affected roadways and sidewalks.

"(2) MAINTENANCE OF GREEN SPACES.—Subject to paragraph (3), upon completion of the Project, responsibility for maintenance and oversight of any green spaces modified or improved for the Project shall remain with the owner of the affected green spaces.

"(3) BUILDINGS AND GREEN SPACES ON THE PLAZA.—Upon completion of the Project, the Board shall own, operate, and maintain the

buildings and green spaces established on the Plaza for the Project.

"(f) NATIONAL HIGHWAY BOUNDARIES.—

"(1) REALIGNMENT OF BOUNDARIES.—The Secretary may realign national highways related to proposed changes to the North and South Interchanges and the E Street approach recommended in the TEA-21 report in order to facilitate the flow of traffic in the vicinity of the Center.

"(2) ACCESS TO CENTER FROM I-66.—The Secretary may improve direct access and egress between Interstate Route 66 and the Center, including the garages of the Center."

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 13 of the John F. Kennedy Center Act (as redesignated by section 2) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

"(c) JOHN F. KENNEDY CENTER PLAZA.—There is authorized to be appropriated to the Secretary of Transportation for capital costs incurred in the planning, design, engineering, and construction of the project authorized by section 12 (including roadway improvements related to the North and South Interchanges and construction of the John F. Kennedy Center Plaza, but not including construction of any buildings on the plaza) \$400,000,000 for the period of fiscal years 2003 through 2010, to remain available until expended."

SEC. 4. CONFORMING AMENDMENTS.

(a) SELECTION OF CONTRACTORS.—Section 4(a)(2) of the John F. Kennedy Center Act (20 U.S.C. 76j(a)(2)) is amended by striking subparagraph (D) and inserting the following:

"(D) SELECTION OF CONTRACTORS.—In carrying out the duties of the Board under this Act, the Board may—

"(i) negotiate, with selected contractors, any contract—

"(I) for planning, design, engineering, or construction of buildings to be erected on the John F. Kennedy Center Plaza under section 12 and for landscaping and other improvements to the Plaza; or

"(II) for an environmental system for, a protection system for, or a repair to, maintenance of, or restoration of the John F. Kennedy Center for the Performing Arts; and

"(ii) award the contract on the basis of contractor qualifications as well as price."

(b) ADMINISTRATION.—Section 6(d) of the John F. Kennedy Center Act (20 U.S.C. 76l(d)) is amended in the first sentence by striking "section 12" and inserting "section 14".

(c) DEFINITIONS.—Section 14 of the John F. Kennedy Center Act (as redesignated by section 2) is amended by adding at the end the following: "Upon completion of the project for establishment of the John F. Kennedy Center Plaza authorized by section 12, the Board, in consultation with the Secretary of Transportation, shall amend the map that is on file and available for public inspection under the preceding sentence."

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 129—EXPRESSING THE SENSE OF CONGRESS REGARDING THE ESTABLISHMENT OF THE MONTH OF NOVEMBER EACH YEAR AS "CHRONIC OBSTRUCTIVE PULMONARY DISEASE AWARENESS MONTH"

Mr. CRAPO submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. Con. Res. 129

Whereas chronic obstructive pulmonary disease (referred to in this concurrent resolution as "COPD") is primarily associated with emphysema and chronic bronchitis, conditions with which 3,000,000 and 9,000,000 people in the United States, respectively, have been diagnosed;

Whereas COPD is progressive and irreversible;

Whereas as COPD progresses, the airways and alveoli in the lungs lose elasticity and the airway walls collapse, closing off smaller airways and narrowing larger ones;

Whereas symptoms of COPD include chronic coughing, chest tightness, shortness of breath, increased effort to breathe, increased mucus production, and frequent clearing of the throat;

Whereas risk factors for COPD include long-term smoking, a family history of COPD, exposure to air pollution or second-hand smoke, and a history of childhood respiratory infections;

Whereas more than half of all people who suffer from COPD report that their condition limits their ability to work, sleep, and participate in social and physical activities;

Whereas more than half of all people who suffer from COPD feel they are not in control of their breathing, panic when they cannot catch their breath, and expect their condition to worsen;

Whereas 16,000,000 people in the United States have been diagnosed with some form of COPD and an estimated 16,000,000 people in the United States with COPD are undiagnosed;

Whereas nearly 107,000 people died in the United States of COPD in 1998, making COPD the fourth leading cause of death in the United States;

Whereas COPD accounted for 13,400,000 office visits to doctors in 1997 and 668,362 hospitalizations in 1998;

Whereas COPD costs the economy of the United States an estimated \$30,400,000,000 a year;

Whereas in 1997, 24 States experienced death rates from COPD which were between 41 and 61 deaths per 100,000 people; and

Whereas too many people with COPD are not diagnosed or are not receiving adequate treatment: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) November of each year should be established as "Chronic Obstructive Pulmonary Disease Awareness Month" to raise public awareness about the prevalence of chronic obstructive pulmonary disease and the serious problems associated with the disease; and

(2) the President should issue a proclamation calling on the people of the United States to observe the month with appropriate programs and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4312. Mr. REID (for Ms. MIKULSKI for himself, Mr. HUTCHINSON, Mr. KERRY, Mr. JEFFORDS, Mr. GREGG, Mr. FRIST, Mr. KENNEDY, Ms. COLLINS, Mrs. CLINTON, Mr. ROBERTS, Mr. WELLSTONE, Mr. ENZI, Mr. BIDEN, Mr. WARNER, Mr. CORZINE, Mr. LUGAR, Mr. LEAHY, Mr. GRAHAM, Ms. CANTWELL, Mrs. LINCOLN, Mr. BAUCUS, Mr. JOHNSON, Mr. HARKIN, Mr. LEVIN, Mr. INOUE, Mr. TORRICELLI, Mr. DOMENICI, Mrs. MURRAY, Mr. DODD, Mr. DASCHLE, Mrs. CARNAHAN, Mr. SMITH of Oregon, Mr. REED, Mr. BREAUX, Mr. BOND, Mr. DAYTON, Mr. DEWINE, Mr. SARBANES, Mr. ALLEN, Mr. CHAFEE, Mr. HAGEL, Mr. SANTORUM, Mr. BAYH, Mr. ROCKEFELLER, Mr.

CLELAND, Mr. SMITH, of New Hampshire, and Mr. INHOFE)) proposed an amendment to the bill H.R. 3487, to amend the Public Health Service Act with respect to health professions programs regarding the field of nursing.

TEXT OF AMENDMENTS

SA 4312. Mr. REID (for Ms. MIKULSKI for himself, Mr. HUTCHINSON, Mr. KERRY, Mr. JEFFORDS, Mr. GREGG, Mr. FRIST, Mr. KENNEDY, Ms. COLLINS, Mrs. CLINTON, Mr. ROBERTS, Mr. WELLSTONE, Mr. ENZI, Mr. BIDEN, Mr. WARNER, Mr. CORZINE, Mr. LUGAR, Mr. LEAHY, Mr. GRAHAM, Ms. CANTWELL, Mrs. LINCOLN, Mr. BAUCUS, Mr. JOHNSON, Mr. HARKIN, Mr. LEVIN, Mr. INOUE, Mr. TORRICELLI, Mr. DOMENICI, Mrs. MURRAY, Mr. DODD, Mr. DASCHLE, Mrs. CARNAHAN, Mr. SMITH of Oregon, Mr. REED, Mr. BREAUX, Mr. BOND, Mr. DAYTON, Mr. DEWINE, Mr. SARBANES, Mr. ALLEN, Mr. CHAFEE, Mr. HAGEL, Mr. SANTORUM, Mr. BAYH, Mr. ROCKEFELLER, Mr. CLELAND, Mr. SMITH of New Hampshire, and Mr. INHOFE)) proposed an amendment to the bill H.R. 3487, to amend the Public Health Service Act with respect to health professions program.

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Nurse Reinvestment Act".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—NURSE RECRUITMENT

- Sec. 101. Definitions.
Sec. 102. Public service announcements regarding the nursing profession.
Sec. 103. National Nurse Service Corps.

TITLE II—NURSE RETENTION

- Sec. 201. Building career ladders and retaining quality nurses.
Sec. 202. Comprehensive geriatric education.
Sec. 203. Nurse faculty loan program.
Sec. 204. Reports by General Accounting Office.

TITLE I—NURSE RECRUITMENT

SEC. 101. DEFINITIONS.

Section 801 of the Public Health Service Act (42 U.S.C. 296) is amended by adding at the end the following:

"(9) AMBULATORY SURGICAL CENTER.—The term 'ambulatory surgical center' has the meaning applicable to such term under title XVIII of the Social Security Act.

"(10) FEDERALLY QUALIFIED HEALTH CENTER.—The term 'Federally qualified health center' has the meaning given such term under section 1861(aa)(4) of the Social Security Act.

"(11) HEALTH CARE FACILITY.—The term 'health care facility' means an Indian Health Service health center, a Native Hawaiian health center, a hospital, a Federally qualified health center, a rural health clinic, a nursing home, a home health agency, a hospice program, a public health clinic, a State or local department of public health, a skilled nursing facility, an ambulatory surgical center, or any other facility designated by the Secretary.

"(12) HOME HEALTH AGENCY.—The term 'home health agency' has the meaning given such term in section 1861(o) of the Social Security Act.

"(13) HOSPICE PROGRAM.—The term 'hospice program' has the meaning given such term in section 1861(dd)(2) of the Social Security Act.

"(14) RURAL HEALTH CLINIC.—The term 'rural health clinic' has the meaning given such term in section 1861(aa)(2) of the Social Security Act.

"(15) SKILLED NURSING FACILITY.—The term 'skilled nursing facility' has the meaning given such term in section 1819(a) of the Social Security Act."

SEC. 102. PUBLIC SERVICE ANNOUNCEMENTS REGARDING THE NURSING PROFESSION.

Title VIII of the Public Health Service Act (42 U.S.C. 296 et seq.) is amended by adding at the end the following:

"PART H—PUBLIC SERVICE ANNOUNCEMENTS

"SEC. 851. PUBLIC SERVICE ANNOUNCEMENTS.

"(a) IN GENERAL.—The Secretary shall develop and issue public service announcements that advertise and promote the nursing profession, highlight the advantages and rewards of nursing, and encourage individuals to enter the nursing profession.

"(b) METHOD.—The public service announcements described in subsection (a) shall be broadcast through appropriate media outlets, including television or radio, in a manner intended to reach as wide and diverse an audience as possible.

"(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2003 through 2007.

"SEC. 852. STATE AND LOCAL PUBLIC SERVICE ANNOUNCEMENTS.

"(a) IN GENERAL.—The Secretary may award grants to eligible entities to support State and local advertising campaigns through appropriate media outlets to promote the nursing profession, highlight the advantages and rewards of nursing, and encourage individuals from disadvantaged backgrounds to enter the nursing profession.

"(b) USE OF FUNDS.—An eligible entity that receives a grant under subsection (a) shall use funds received through such grant to acquire local television and radio time, place advertisements in local newspapers, or post information on billboards or on the Internet in a manner intended to reach as wide and diverse an audience as possible, in order to—

"(1) advertise and promote the nursing profession;

"(2) promote nursing education programs;

"(3) inform the public of financial assistance regarding such education programs;

"(4) highlight individuals in the community who are practicing nursing in order to recruit new nurses; or

"(5) provide any other information to recruit individuals for the nursing profession.

"(c) LIMITATION.—An eligible entity that receives a grant under subsection (a) shall not use funds received through such grant to advertise particular employment opportunities.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2003 through 2007."

SEC. 103. NATIONAL NURSE SERVICE CORPS.

(a) LOAN REPAYMENT PROGRAM.—Section 846(a) of the Public Health Service Act (42 U.S.C. 297n(a)) is amended—

(1) in paragraph (3), by striking "in an Indian Health Service health center" and all that follows to the semicolon and inserting "at a health care facility with a critical shortage of nurses"; and

(2) by adding at the end the following: "After fiscal year 2007, the Secretary may