

submit a report to the Committee on Rules and Administration and Committee on Appropriations of the Senate on the Senate of the program”.

SA 4324. Mr. DURBIN (for Mr. DODD) proposed an amendment to the bill H.R. 5121, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2003, and for other purposes; as follows:

On page 9, between lines 17 and 18, insert:

SEC. ____ PUBLIC SAFETY EXCEPTION TO INSCRIPTIONS REQUIREMENT ON MOBILE OFFICES.

(a) IN GENERAL.—Section 3(f)(3) under the heading “ADMINISTRATIVE PROVISIONS” in the appropriation for the Senate in the Legislative Branch Appropriation Act, 1975 (2 U.S.C. 59(f)(3)) is amended by adding at the end the following flush sentence:

“The Committee on Rules and Administration of the Senate may prescribe regulations to waive or modify the requirement under subparagraph (B) if such waiver or modification is necessary to provide for the public safety of a Senator and the Senator’s staff and constituents.”

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of enactment of this Act and apply to the fiscal year that includes such date and each fiscal year thereafter.

SA 4325. Mr. DURBIN (for himself and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill S. 812, to amend the Federal Food, Drug, and Cosmetic Act to provide greater access to affordable pharmaceuticals; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ COLLECTION OF PRESCRIPTION DRUG PRICES; CALCULATION OF AVERAGE RETAIL PRICES; CONSUMER GUIDE TO PRESCRIPTION DRUGS.

(a) PURPOSES.—The purposes of this section are the following:

(1) To provide beneficiaries under the medicare program under title XVIII of the Social Security Act with information on the prices of prescription drugs so that they can decide, in consultation with their health care providers, whether a brand name drug or its therapeutic or generic equivalent would be appropriate.

(2) To provide information to health care providers on the prices of prescription drugs and the generic equivalents of such drugs.

(3) To inform beneficiaries under the medicare program of the role of the Food and Drug Administration in ensuring that generic drugs are as safe as brand name drugs and equivalent to brand name drugs.

(b) CALCULATION OF AVERAGE RETAIL PRICES.—

(1) COLLECTION OF RETAIL PRESCRIPTION DRUG PRICES.—

(A) RETAIL PRICES OF 200 MOST COMMONLY USED DRUGS BY MEDICARE BENEFICIARIES.—The Secretary of Health and Human Services (in this section referred to as the “Secretary”) shall establish a process for the collection of sample data nationwide on the retail prices of the 200 most commonly used prescription drugs by beneficiaries under the medicare program.

(B) RETAIL PRICES OF ADDITIONAL DRUGS.—The process established under paragraph (1) may provide for the collection of retail prices on prescription drugs not described in such paragraph if the Secretary determines that such collection is feasible and would be beneficial to beneficiaries under the medi-

care program and their health care providers.

(2) CALCULATION OF AVERAGE RETAIL PRICES.—Using the data collected under paragraph (1), the Secretary shall calculate an average retail price for each prescription drug for which data is collected under such subsection.

(3) AUTHORITY TO CONTRACT WITH A PRIVATE ENTITY TO COLLECT DATA AND CALCULATE PRICES.—If determined appropriate by the Secretary, the Secretary may contract with a private entity to—

(A) collect the data under paragraph (1); and

(B) make the calculations under paragraph (2).

(c) CONSUMER GUIDE TO PRESCRIPTION DRUGS.—

(1) IN GENERAL.—The Secretary shall—

(A) annually publish a Consumer Guide to Prescription Drugs;

(B) annually distribute such Guide to beneficiaries under the medicare program;

(C) make such Guide available to health care providers; and

(D) maintain the information contained in such Guide on the Medicare Internet site of the Department of Health and Human Services.

(2) REQUIREMENTS.—The Consumer Guide to Prescription Drugs established under paragraph (1) shall, with respect to the drugs for which data is collected under subsection (b)—

(A) provide beneficiaries under the medicare program and health care providers with—

(i) easy-to-understand information about such prescription drugs and information on the requirement under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) that a generic drug be bioequivalent to the brand name drug for which it is a substitute; and

(ii) information to assist such beneficiaries and providers in comparing the costs of such prescription drugs by therapeutic category; and

(iii) information regarding the wide variation in drug prices across the country;

(B) group such prescription drugs within their therapeutic classes;

(C) identify generic equivalents where available for brand name drugs in a manner that allows the beneficiary and the health care provider to compare the relative prices of generic and brand name drugs; and

(D) include a list of the average retail price of each such prescription drug (as determined under subsection (b)).

(3) TIMEFRAME.—The Secretary shall publish the Consumer Guide to Prescription Drugs within 24 months of the date of enactment of this Act and shall publish an updated version of the Guide annually thereafter. The Secretary may publish periodic bulletins to such Guide that reflect changes in the prices of prescription drugs in the Guide between the dates of annual publication of the Guide.

(4) INCLUSION IN MEDICARE HANDBOOK.—If the Secretary determines that it is appropriate to do so, the Secretary may publish the Consumer Guide to Prescription Drugs as part of the notice of medicare benefits required by section 1804(a) of the Social Security Act (42 U.S.C. 1395b-2(a)).

(d) GENERIC DRUG DEFINED.—In this section, the term “generic drug” means—

(1) a drug approved under subsection (b)(2) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and for which the brand name drug is the listed drug for the drug approved under such a subsection; and

(2) a drug that the Secretary has determined is therapeutically equivalent to a

drug described in paragraph (1) that is not a brand name drug.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the committee on Energy and Natural Resources.

The hearing will take place on Wednesday, August 7, 2002, from 9:00 a.m. until 11:00 a.m. at the Genoveva Chavez Community Center, 3221 Rodeo Road, in Santa Fe, New Mexico.

The purpose of the hearing is to receive testimony on S. 2776, a bill to provide for the protection of archaeological sites in the Galisteo Basin in New Mexico, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, 312 Dirksen Senate Office Building, Washington, DC 20510, or to Senator Bingaman’s office in Santa Fe, 119 E. Marcy Street, Suite 101, Santa Fe, NM 87501.

For further information, please contact David Brooks of the Committee staff at (202) 224-4103.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, July 25, 2002, at 9:30 a.m., in open session to receive testimony on the national security implications of the strategic offensive reductions treaty.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, July 25, 2002, immediately following the first rollcall vote, to conduct a mark up on the nominations of Mr. Paul S. Atkins, of Virginia, to be a member of the Securities and Exchange Commission; Mr. Harvey Jerome Goldschmid, of New York, to be a member of the Securities and Exchange Commission; Ms. Cynthia A. Glassman, of Virginia, to be a member of the Securities and Exchange Commission; and Mr. Roel C. Campos, of Texas, to be a member of the Securities and Exchange Commission.

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

COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, July 25, 2002, at 9:30 a.m. on aviation security in transition.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC
WORKS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Thursday, July 25, 2002, at 11:00 a.m. to consider pending legislation, nominations, and resolutions. The meeting will be held in SD-406.

Agenda

Legislation:

S. 1602, the Chemical Security Act of 2001

S. 1746, the Nuclear Security Act of 2001

S. 1850, the Underground Storage Tank Compliance Act of 2001

S. 2771, the John F. Kennedy Center Plaza Authorization Act of 2002

Nominations:

Nomination of John S. Bresland to be a Member and Chair of the Chemical Safety and Hazard Investigation Board

Nomination of Carolyn W. Merritt to be a Member and Chair of the Chemical Safety and Hazard Investigation Board

Nomination of John P. Suarez to be Assistant Administrator for Enforcement and Compliance, Environmental Protection Agency

Resolutions:

Study Resolution for Brush Creek Basin, Kansas and Missouri

Study Resolution for Walton County, Florida

Study Resolution for Mercer County, New Jersey

Study Resolution for Camden and Gloucester Counties, New Jersey

Study Resolution for Indian River and Bay, Delaware

Study Resolution for Sand Creek, Oklahoma

Study Resolution for Shellpot Creek, Delaware

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

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, July 25, 2002 at 10:30 a.m. to hold a business meeting.

Agenda

The Committee will consider and vote on the following agenda items:

Treaties:

1. Treaty Doc. 96-53, Convention on the Elimination of All Forms of Discrimination Against Women, adopted by the U.N. General Assembly on De-

cember 18, 1979, and signed on behalf of the United States of America on July 17, 1980.

2. Treaty Doc. 105-32, An agreement Establishing the South Pacific Regional Environment Programme, done at Apia on June 16, 1993.

3. Treaty Doc. 105-53, A Treaty Between the Government of the United States of America and the Government of Niue on the Delimitation of a Maritime Boundary.

Legislation:

4. S. Res. 300, A resolution encouraging the peace process in Sri Lanka, with amendments.

Nominations:

5. Mr. Randolph Bell, of Virginia, for the rank of Ambassador during his tenure of service as Special Envoy for Holocaust Issues.

6. Mr. James Gadsden, of Maryland, to be Ambassador to the Republic of Iceland.

7. Mr. James Jeffrey, of Virginia, to be Ambassador to the Republic of Albania.

8. Mr. Michael Klosson, of Maryland, to be Ambassador to the Republic of Cyprus.

9. Mr. Norman J. Pattiz, of California, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2004.

10. Mr. Paul Speltz, of Texas, to be United States Executive Director of the Asian Development Bank, with the rank of Ambassador.

11. Mr. Mark Sullivan, III, of Maryland, to be United States Executive Director of the European Bank for Reconstruction and Development.

12. Mr. Kenneth Y. Tomlinson, of Virginia, to be a Member and Chairman of the Broadcasting Board of Governors for a term expiring August 13, 2004.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Thursday, July 25, 2002 at 9:30 a.m. for a business meeting to consider pending business.

Agenda

1. To authorize withdrawal of the Committee amendments and offering of a floor amendment in the nature of a substitute to the National Homeland Security and Combating Terrorism Act of 2002 (S. 2452) which the Committee ordered reported on May 22, 2002.

Nominations:

a. James "Jeb" E. Boasberg to be an Associate Judge of the Superior Court of the District of Columbia.

b. Michael D. Brown to be Deputy Director of the Federal Emergency Management Agency.

c. The Honorable Mark W. Everson to be Deputy Director for Management, Office for Management and Budget

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

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on Violence against Women in the Workplace: The Extent of the Problem and What Government and Businesses Are Doing About It, during the session of the Senate on Thursday, July 25, 2002 at 10:00 a.m. in SD-430.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Thursday, July 25, 2002, at 10:00 a.m. in Room 485 of the Russell Senate Office Building to conduct a hearing on the July 2, 2002 Report of the U.S. Department of the Interior to the Congress on the Historical Accounting of Individual Indian Money Accounts.

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

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on "Oversight of the Department of Justice," on Thursday, July 25, 2002 in Dirksen Room 226 at 10:00 a.m.

Witness List

The Honorable John D. Ashcroft, Attorney General, Department of Justice, Washington, DC.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, July 25, 2002 at 10:00 a.m. to hold a closed hearing on the Joint Inquiry into the events of September 11, 2001.

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

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. REID. Mr. President, I ask unanimous consent that the Public Lands and Forests Subcommittee of the Committee on Energy and Natural Resources be authorized to hold a Hearing during the session of the Senate on Thursday, July 25, at 2:30 p.m. in SD-366.

The purpose of this hearing is to receive testimony on S. 2672, to provide opportunities for collaborative restoration projects on National Forest System and other public lands.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that the Senate