(Mrs. CLINTON) was added as a cosponsor of S. Res. 205, a resolution urging the Government of Ukraine to ensure a democratic, transparent, and fair election process leading up to the March 31, 2002, parliamentary elections.

S. RES. 208

At the request of Mr. BREAUX, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. Res. 208, a resolution commending students who participated in the United States Senate Youth Program between 1962 and 2002.

S. CON. RES. 84

At the request of Mr. SCHUMER, the name of the Senator from Missouri (Mrs. CARNAHAN) was added as a cosponsor of S. Con. Res. 84 , a concurrent resolution providing for a joint session of Congress to be held in New York City, New York.

AMENDMENT NO. 2268

At the request of Mr. BROWNBACK, his name was added as a cosponsor of amendment No. 2268 intended to be proposed to H.R. 3338, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. JOHNSON (for himself, Mr. HAGEL, Mr. REED, and Mr. ENZI):

S. 1945. A bill to provide for the merger of the bank and savings association deposit insurance funds, to modernize and improve the safety and fairness of the Federal deposit insurance system, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. JOHNSON. Mr. President, I rise to introduce S. 1945, the Safe and Fair Deposit Insurance Act of 2002, together with my good friends and colleagues, Senator HAGEL, Senator REED and Senator ENZI. This important legislation would help to ensure that deposit insurance, which is the bedrock of our banking system, maintains its strength even when faced with economic weakness.

S. 1945 is the culmination of many years of my involvement in the issue of deposit insurance reform. I would like to recognize the banking community in South Dakota for their critical role in the process, from explaining how elements of the current system endanger local banks throughout that great State, to helping to craft solutions that make sense to the average American depositor.

The current deposit insurance system is dangerously pro-cyclical, and in a softening economy, banks are at real risk of having to absorb severe insurance premiums when they can least afford them. In the last month alone, four banks have failed, putting pressure on the insurance funds.

In addition, deposit insurance coverage was last adjusted in 1980, and its real value has eroded over the decades. S. 1945 proposes an increase in coverage, and ensures that in the future, coverage keeps pace with inflation through periodic indexing. We also increase the level of coverage for our municipalities' deposits, to reduce the risk that a bank failure will wipe out a town's financial base, as happened just last week in Ohio, and also to free up much needed capital to lend to cash-starved communities.

Our bill pays special attention to the needs of our retirees. We propose that retirement savings be covered up to $250,000, to allow our retirees to keep their money safe without being forced to search for a bank outside of their trusted communities.

So many of our retirees have spent their lives saving to make sure they can remain independent in their later years, especially given some uncertainty about the long-term health of Social Security. Many have put those savings to work in a variety of investments through tax-deferred accounts and have watched those balances mount.

Over the last few months, however, we have been reminded that while equity markets can provide unparalleled opportunities for economic growth, those opportunities come with volatility. And while many younger investors have enough time to ride out ups and downs, those of us who are closer to retirement age have to make sure we have enough savings in secure investments to provide for a comfortable retirement.

Our bill also merges the two deposit insurance funds, and gives the FDIC additional flexibility to manage the fund balance through regular insurance premiums. Since 1996, 93 percent of all insured depositories have paid nothing for their insurance coverage, which simply doesn't make sense. Under the bill, the FDIC would be permitted to resume premium assessments; however, they would also be required to keep the fund ratio within a range, with a goal of minimizing sharp swings in those assessments. FDIC is also charged with the task of building the fund up in good times, so in bad times, banks will avoid the economic pressure of steep charges that could precipitate a downward spiral.

Finally, we provide a one-time assessment credit so that institutions that have paid their fair share into the insurance funds don't end up subsidizing new entrants and fast growers. The credit will also defer premium payments for up to several years in some cases.

Before I close, I would like to comment on the remarkable bipartisan process that has allowed this bill to take shape. Partisan politics has no place in discussions of deposit insurance reform, which is so critical to America's economic foundation. Senators HAGEL, REED, ENZI and I have worked together on S. 1945, and I am proud of the results of this teamwork. This is just one more example proving that the best laws are those that are built on solid principles by bipartisan teams.

Finally, I thank FDIC Chairman Don Powell for his leadership on this issue. He has recognized the importance of reform, and it has been a pleasure working with him and his talented team at the FDIC.

By Mr. LOTT (for Mr. CAMPBELL (for himself, Mr. DOMENICI, Mr. BINGAMAN, and Mr. ALLARD)):

S. 1946. A bill to amend the National Trails Systems Act to designate the Old Spanish Trail as a National Historic Trail; to the Committee on Energy and Natural Resources.

• Mr. CAMPBELL. Mr. President, today I am introducing legislation to designate the Old Spanish Trail for addition to the National Trails System.

In 1995, I worked to commission a study of the Old Spanish Trail to assess its historic significance and determine whether it should be included in the National Trails System. That recently published study discussed the Trail in great detail, recognizing it as a benchmark of the Old West.

I would like to commend the Department of the Interior and National Park Service's scholarship in producing the ''National Historic Trail Feasibility Study and Environmental Assessment'' of the Old Spanish Trail.

The Old Spanish Trail has been called the ''longest, crookedest, most arduous pack mule route in the history of America.'' Linking two quaint pueblo outposts, Villa Real de Sante Fe de San Francisco, now known as Santa Fe, and El Pueblo de Nuestra Senora La Reina de Los Angeles, present day Los Angeles. This 1,200 mile route was a critical crossroads in trade and culture 150 years ago.

American Indians lived for thousands of years throughout the American Southwest, carving out a network of trade and travel routes. The Utes, Paiutes, Comanches, and Navajo peoples used what was known as the Old Spanish Trail.

The Old Spanish Trail played a crucial role as a crossroads for the diverse cultures in the West. Indian Tribes, Spaniards, Mexicans, Anglo settlers, including the Mormons, and other immigrants used the route extensively.

The traded commodities along the Trail were as diverse as those who used it. The Old Spanish Trail supported the fur, mule, horse, sheep, and textile trades. Demand for sheep grew dramatically in California after the Great Gold Rush. In 1849, a gold-seeker named Roberts bought 500 sheep in New Mexico for $250, and sold them in California for $8,000.

Beyond traditional commerce, Old Spanish Trail traders also traded in American Indian slaves. Tribes would raid weaker tribes and sell captives to the Spanish, and later to the Mexicans. The Indian slave trade continued as late as the 1860s.

The trail's rich history marks important events in our nation's westward expansion. For example, in 1848, Lt. George B. Brewerton recorded his journey over the Spanish Trail and the northern branch. The young lieutenant accompanied a party of thirty men including the noted scout, Kit Carson. Carson was carrying mail from Los Angeles to the East Coast. The party left Los Angeles on May 4 and reached Santa Fe via Taos on June 14, forty-one days later. Carson proceeded east, reaching Washington, DC in mid-August, bringing news of the discovery of gold in California. Carson's news effectively fired the starting gun for the great gold rush.

The study includes numerous accounts of other expeditions, experiences, and events marking our Nation's history. Thanks to a variety of public and private partnerships, we are learning more about the history of the Trail and the region everyday.

In Colorado, the Bureau of Land Management has worked on documenting and interpreting the route with local communities, such as Mesa County and the City of Grand Junction. Interested private groups have sprung up to recognize the significance of the Trail and work to preserve it for generations to come. One such group, the Old Spanish Trail Association, founded in Colorado, studies the trail to raise the public's awareness of our country's diverse cultural heritage in the region. The association has already located wagon ruts and other vestiges of the trail's heyday.

The time has come to acknowledge the national historical importance of the Old Spanish Trail.

This bill designates the Old Spanish Trail for addition to the National Trails System to promote the recognition, protection and interpretation of our history in the West. By introducing this legislation today, we pay tribute to the cultures of the West that have enriched our nation and to an important period in American history.

I urge my colleagues to support swift passage of this legislation.

I ask that the text of the bill be printed in the RECORD.

The bill is as follows:

S. 1946

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 ''Old Spanish Trail Recognition Act of 2002''.

SEC. 2. AUTHORIZATION AND ADMINISTRATION.

Section 5(a) of the National Trails System Act (16 U.S.C. 1244(a)) is amended—

(1) by redesignating the second paragraph (21) as paragraph (22); and

(2) by adding at the end the following:

''(23) OLD SPANISH NATIONAL HISTORIC TRAIL.—

''(A) IN GENERAL.—The Old Spanish National Historic Trail, an approximately 3,500 mile long trail extending from Santa Fe, New Mexico, to Los Angeles, California, that served as a major trade route between 1829 and 1848, as generally depicted on the map contained in the report prepared under subsection (b) entitled ''Old Spanish Trail National Historic Trail Feasibility Study'', dated July 2001.

''(B) MAP.—A map generally depicting the trail shall be on file and available for public inspection in the office of the Director of the National Park Service.

''(C) ADMINISTRATION.—The trail shall be administered by the Secretary of the Interior, acting through the Director of the National Park Service (referred to in this paragraph as the 'Secretary').

''(D) LAND ACQUISITION.—The United States shall not acquire for the trail any land or interest in land outside the exterior boundary of any federally-managed area without the consent of the owner of the land or interest in land.

''(E) CONSULTATION.—The Secretary shall consult with other Federal, State, local, and tribal agencies in the administration of the trail.

''(F) ADDITIONAL ROUTES.—The Secretary may designate additional routes to the trail if—

''(i) the additional routes were included in the Old Spanish Trail National Historic Trail Feasibility Study, but were not recommended for designation as a national historic trail; and

''(ii) the Secretary determines that the additional routes were used for trade and commerce between 1829 and 1848.''.

Mr. DOMENICI. Mr. President, last year I introduced a bill that would have designated the Old Spanish Trail as a National Historic Trail. When I introduced that bill, we were waiting for the Administration to complete its work on a final study. Additionally, Senator CAMPBELL wrote a personal note to me asking that I work with him on a new bill that incorporates the new study. Today, we introduce that bill. As with my original bill this legislation will amend the National Trails System Act and designate the Old Spanish Trail; which originates in Santa Fe, New Mexico and continues to Los Angeles, California as a National Historic Trail.

Today, more than 150 years after the first settlers embarked on their western journeys via the Old Spanish Trail, we honor its historic significance and recognize its importance to our past, present and future. I am proud to introduce legislation that will help preserve the route of the trail—much of which has remained relatively unchanged since the trail period.

The United States of America has a rich history and an exciting part of that is the movement of civilization westward. Citizens who settled in the West came from all walks of life and have deep rooted cultural and historic ties to land throughout the west. Since 1829, The Old Spanish Trail has served many, from trade caravans to military expeditions. For twenty plus years the Old Spanish Trail was used as a main route of travel between New Mexico and California.

The Old Spanish Trail is also a vital part of Native American history. We know that numerous Indian pueblos were situated along the Old Spanish Trail serving as trading forums for the trail's many travelers. The majority of these pueblos are still occupied by descendants whose ancestors contributed to the labor and goods that constituted commerce on the Old Spanish Trail.

The Old Spanish Trail is a symbol of cultural interaction between various ethnic groups and nations. Further, it is a symbol of the commercial exchange that made development and growth popular, not only in the West, but throughout the country.

The National Trails System was established by the National Trails System Act of 1968 ''to promote the preservation of, public access to, travel within, and enjoyment and appreciation of the open air, outdoor areas and historic resources of the Nation.'' Designating the Old Spanish Trail as a National Historic Trail would allow for just what the act has intended, preservation, access, enjoyment and appreciation of the historic resources of our Nation.

The Old Spanish Trail has been significant in many respects to many different people and its rich history is something that should be included in our National Trails System. The intent of this legislation is to protect this historic route and its historic remnants for public use and enjoyment indefinitely.

By Mrs. CARNAHAN:

S. 1947. A bill to amend title XIX of the Social Security Act to clarify the circumstances under which a hold harmless provision does not exist with respect to a broad-based health care related tax; to the Committee on Finance.

Mrs. CARNAHAN. Mr. President, in late October, I came to the Senate floor to address a dispute between the state of Missouri and the Health Care Financing Agency, now known as the Centers for Medicare and Medicaid Services, or CMS. I felt compelled to discuss the matter because of what was at stake, the future of Missouri's Medicaid program.

Medicaid is a partnership between the Federal Government and the States to provide healthcare services to our most vulnerable citizens—low-income children and seniors. Unfortunately, the Federal partner, CMS, is behaving irresponsibly.

Since I last spoke about this issue on the Senate floor, CMS Administrator Tom Scully escalated the dispute to an unprecedented level. Not only unprecedented, but dangerous.

On November 29, he sent a harshly toned letter to Governor Holden that called Missouri's tax on hospitals illegal and threatened to withhold $1.6 billion from the State.

I am here today to call attention to an agency that is out of control. At a time when States are struggling to maintain service due to the recession, this agency has threatened to devastate Missouri's health care safety net. At a time when States and the Federal Government should be working for the common good, CMS is ignoring its own laws and regulations.

After our delegation appealed to top Administration officials, finally negotiations began on a long-term solution to the Medicaid funding issue. But just this weekend, reports emerged that CMS expects to pressure Missouri into accepting changes to the program due to its threatened legal action. I am all in favor of negotiations. But I want a bargaining table to be completely level. Our State should be free to act in the best interest of Missouri's citizens without a $1.6 billion lawsuit hanging over its head. That is why I am also introducing legislation today that seeks to put an end to this dispute once and for all.

Governor Holden has stated that one of his top Federal priorities is to clarify that Missouri's provider tax is fully consistent with Federal law. That is what my bill does.

Before I explain my legislative proposal, I want to describe the events that have brought us to this point in time. The subject of the disagreement is Missouri's provider assessment program, which is a tax on hospitals. States use the money generated from these taxes as their ''match'' for Federal Medicaid dollars. Over ten years ago, Congress became concerned that States were using provider taxes improperly to increase the Federal contributions to Medicaid programs. In response, Congress enacted a law in 1992 that placed limitations on provider assessment programs.

One specific limitation is that a provider assessment must not contain a ''hold harmless'' provision. This means that States may not guarantee that a hospital will receive back from Medicaid the amount of funds it paid to the State in provider taxes.

In 1992, under the leadership of Governor John Ashcroft, now the Attorney General, Missouri complied with the federal law by enacting the Federal Reimbursement Allowance Program law. This law created a tax on hospitals, but contained no ''hold harmless'' provision. Governor Ashcroft signed the bill into law. Governor Carnahan continued the program, and Governor Holder is continuing it.

For almost a decade, the program has been operating under the auspices of HCFA, now CMS. During this time, 100 percent of the revenues generated by the tax have been dedicated to Missouri's Medicaid program. The program has made Missouri a national model for using Federal, State, and private resources to provide health care to as many needy citizens as possible. This long-standing legal tax has assisted Missouri in creating a strong healthcare safety net for its children, pregnant women, and most vulnerable seniors.

Much of Missouri's success can be attributed to expanded enrollment of eligible citizens in Medicaid. During the 1990's, the number of Missourians covered by Medicaid more than doubled, increasing from 364,000 in 1990 to 839,000 in 2001. The number of children enrolled in Medicaid has grown at an even faster rate, increasing from 180,000 in 1990 to 474,000 in 2001.

An important step in covering more children was the enactment of the state's Children's Health Insurance Program, also known as MC Plus. Under the leadership of Governor Carnahan, MC Plus was designed to cover children up to 300 percent of the poverty level. It is a national model. Due to MC Plus, uninsured working parents could secure this previous health coverage for their children. The MC Plus program has made a difference in the lives of 75,000 children in Missouri.

This combination of initiatives has sharply reduced the number of Missouri citizens that lack health insurance. In 1999, Missouri had the fourth lowest percentage of uninsured citizens in the country.

These tremendous accomplishments, however, could be completely undermined because of a bureaucratic crusade to overturn Missouri's provider tax, a crusade that is not based on law.

Let me explain. The letter CMS Administrator Scully sent to Missouri on November 29 was significant for several reasons.

First, it was the first formal declaration from CMS that the agency found Missouri's State provider tax impermissible.

Second, the letter included a draft audit that outlined the agency's case and claimed that it would seek to take back $1.6 billion from the State.

Third, the letter opens the door for CMS to actually try to take back the money.

Until this the draft audit was sent, CMS had only threatened action against the state. Now, this letter has made it abundantly clear that the CMS case is based on a flawed legal theory.

The Federal statute says that there is a hold harmless provision with respect to the provider tax if the Secretary can determine that, and I quote from the statute: ''The State or other unit of government improving the tax providers—directly or indirectly—for any payment, offset, or waiver that guarantees to hold taxpayers harmless for any portion of the costs of the tax.''

In the draft audit, Mr. Scully asserts that Missouri indirectly holds hospitals harmless. This leads one to ask the question, how is an ''indirect guarantee'' defined under the law? The answer exists, but unfortunately Mr. Scully's letter does not include it. You can find the answer in the Federal regulations that govern how the Federal provider tax law should be implemented.

On September 13, 1993, almost ten years ago, the U.S. Department of Health and Human Services issued final regulations for the new law. The regulations established an objective test to determine whether a government had an indirect guarantee. The regulations provide that if the tax on health care providers is less than 6 percent of the taxpayer's revenues, ''the tax or taxes are permissible.''

Missouri's provider tax on hospitals has always been less than 6 percent. Case closed.

The bill that I am introducing today essentially codifies this regulation into law. If CMS were willing to abide by its own regulations, then this bill would not be necessary. But I am concerned from the actions the agency has taken and its responses to my inquiries on the subject, that CMS is pursuing an ideological agenda, not fair even-handed enforcement of the law.

There is nothing wrong with the State law former Governor Ashcroft signed a decade ago. There has been no ''indirect guarantees'' to anyone. CMS should back off and allow Missouri to do what it has been doing well for over a decade, providing healthcare to its citizens.

I encourage my colleagues to take a close look at my bill and support its passage.

By Ms. COLLINS (for herself, Mr. FEINGOLD, Mr. KOHL, and Mr. DAYTON):

S. 1948. A bill to establish demonstration projects under the Medicare program under title XVIII of the Social Security Act to reward and expand the number of health care providers delivering high-quality, cost-effective health care to Medicare beneficiaries; to the Committee on Finance.

Ms. COLLINS. Mr. President, I am pleased to join my colleague and dear friend from Wisconsin, Senator FEINGOLD, in introducing a ''Medicare Fairness'' package of bills that will ensure that the Medicare system rewards rather than punishes states like Maine and Wisconsin that deliver high-quality, cost-effective Medicare services to our elderly and disabled citizens.

The good people of Maine pay the same payroll taxes to Medicare, and our seniors pay the same premiums, deductibles and copayments as Medicare beneficiaries in other parts of the country. Yet Maine's patients, physicians, hospitals and other providers receive far less from the program in return when it comes to Medicare payments.

According to a recent study published in the Journal of the American Medical Association, Maine ranks third in the Nation when it comes to the quality of care delivered to our Medicare beneficiaries. Yet we are 11th from the bottom when it comes to per-beneficiary Medicare spending.

The fact is that Maine's Medicare dollars are being used to subsidize higher reimbursements in other parts of the country. Maine's Medicare patients receive, on average, $3,856 worth of Medicare services per year, far below the national average of $5,034. By way of contrast, in the District of Columbia, Medicare patients receive about $15,620 in Medicare payments a year. Moreover, these dramatically higher payments have not bought any better

care for the District's Medicare beneficiaries. According to the Journal of the American Medical Association, the District is ranked 34th out of 52, in the bottom third, when it comes to quality.

This simply is not fair. Medicare's reimbursement systems have historically tended to favor urban areas and failed to take the special needs of rural States into account. Ironically, Maine's low payment rates are also the result of its long history of providing high-quality, cost-effective care. In the early 1980s, Maine's lower than average costs were used to justify lower payment rates. Since then, Medicare's payment policies have only served to widen the gap between low and high-cost states.

As a consequence, Maine's hospitals, physicians and other providers have experienced a serious Medicare shortfall, which has forced them to shift costs on to other payers in the form of higher charges. This Medicare shortfall is one of the reasons that Maine has among the highest health insurance premiums in the nation. Small businesses, for example, are facing increases of 20 to 30 percent, jeopardizing their ability to provide coverage for their employees.

Moreover, the fact that Medicare underpays our hospitals and nursing facilities has significantly handicapped Maine's providers as they compete for nurses and other health care professionals in an increasingly tight labor market.

As a recent study by Dr. John Wennberg of the Dartmouth Medical School points out, more Medicare spending does not necessarily buy better quality health care. According to the Dartmouth study, Medicare beneficiaries in high-cost states don't live any longer or enjoy better quality care. High cost states simply provide more care. They rely on inpatient and specialist care more than outpatient and primary care, and they tend to treat the chronically ill and those near death much more aggressively, with possible adverse effects on their quality of life. According to the Dartmouth study, this pattern of practice is driven not by medical evidence, but instead by community practice patterns and the availability of hospital beds.

The legislative package we are introducing today will reform the current Medicare reimbursement system by reducing regional inequities in Medicare spending and providing incentives to hospitals and physicians to encourage the delivery of high-quality, cost-effective care.

The first bill, the Physician Wage Fairness Act of 2001, will promote fairness in Medicare payments to physicians and other health professionals by eliminating the outdated geographic physician work adjustor in the physician fee schedule that has resulted in a significant differential in payment levels to urban and rural health care providers.

We are concerned that the current formula does not accurately measure the cost of providing services. As a consequence, Medicare pays rural providers far less than it should for equal work. We also don't think that it makes sense to pay physicians more for their work in areas like New York City, which tend to have an oversupply of physicians, and pay physicians less for the same services in areas that are more likely to experience shortages. Eliminating the georgraphic physician work adjustor will bring an estimated $1 million a year in Medicare payments to physicians and other providers in Southern Maine and $3 million more to providers in the rest of Maine.

The second bill, the Medicare Value and Quality Demonstration Act of 2002, will authorize a series of demonstration programs to encourage high-quality, low-cost health care to Medicare beneficiaries. These programs would reward hospitals and physicians who deliver high quality care at a lower cost. It would also require that the states chosen for the pilot projects create a plan to increase the number of providers who deliver high-quality, cost-effective care to Medicare beneficiaries.

A third bill, the Graduate Medical Education Demonstration Act, will allow the Secretary of Health and Human Services to use existing Graduate Medical Education funds to create a program to encourage hospitals in underserved areas to host clinical rotations to encourage more medical students to practice in these areas when they graduate.

And finally, the Skilled Nursing Facility Wage Information Improvement Act will promote fairness in Medicare payments to nursing homes by collecting and using accurate nursing home wage data rather than, as is the current practice, using the inaccurate hospital wage data that discriminates against States like Maine.

As Congress works to modernize Medicare, we must also restore basic fairness to the program and find ways to reward, rather than penalize, providers of high-quality, cost-effective care. This is what our legislation will do, and I encourage all of our colleagues to join us as cosponsors.

By Mr. FRIST (for himself, Mr. DODD, Mr. HUTCHINSON, Mr. JEFFORDS, and Mr. ENZI):

S. 1949. A bill to amend the Public Health Service Act to promote organ donation, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. FRIST. Mr. President, on this Valentine's Day, National Donor Day, I rise to speak on the critical issue of organ donation. It is with great pleasure that I join with my colleagues Senators DODD, HUTCHINSON, JEFFORDS, and ENZI to introduce the Organ Donation and Recovery Improvement Act.

This far-reaching, comprehensive legislation includes a number of new steps intended to improve organ donation and recovery efforts nationwide and increase the number of organs available for transplants each year. This legislation is further complemented by a resolution that I, and a number of my colleagues are introducing today to commemorate today as National Donor Day and call attention to the important issue of organ donation.

This year, more than twenty-two thousand Americans will receive an organ transplant. This is due to the rapid and tremendous advancements in our knowledge and in the science of organ transplantation. As a heart and lung transplant surgeon before coming to the Senate, I have had the opportunity to watch the field develop tremendously over the past three decades. I remember my own experiences, of conducting some of the first transplants using hearts and lungs, and know the tremendous progress that has been made since that time. And I know the hundreds of my own patients who have benefitted from improved lives due to advances in transplantation.

Advances in our knowledge and the science have allowed us to transplant individuals who were once not considered candidates. But such advances have meant a staggering increase in the number of patients waiting for a transplant, while the number of donated organs has failed to keep pace. In fact, there are almost 80,000 patients waiting for a transplant today, a fourfold increase from just over a decade ago. Many of them may die before they can receive a transplant.

More needs to be done. We must look for other ways to improve organ donation, to identify eligible organs and work with families to help them better understand the value of donation.

Secretary Thompson already has made great progress in this area. I commend him for making organ donation a top priority at the Department of Health and Human Services. His initiative holds great promise. In particular, I applaud his call to recognize donor families through a medal of honor, something I have long supported through my own legislation, the Gift of Life Congressional Medal Act. I also welcome the Secretary's commitment to more closely scrutinize the role that organ donor registries play in the donation process.

The legislation I am introducing today builds on these efforts through a broad range of initiatives intended to improve organ donation and recovery, enhance our knowledge base in these fields, and encourage novel approaches to this growing problem.

The Organ Donation and Recovery Improvement Act is designed to improve the overall process of organ donation and recovery. The bill also seeks to remove potential barriers to donation, while identifying and focusing on best practices in organ donation.

Let me briefly highlight a few key provisions of the legislation. First, the bill establishes a grant program for demonstration projects intended to improve donation and recovery rates and

ensures that the projects' results will be evaluated quickly and disseminated broadly. The bill also provides for the placement and evaluation of organ donation coordinators in hospitals, a model that has worked with success in other countries.

In addition, the legislation expands the authority of the Agency for Healthcare Research and Quality to conduct important research, including research on the recovery, preservation and transportation of organs and tissues. As we all know, the science of organ transplantation has been improved and refined over and over again since its inception. Yet all too often organ donation efforts are conducted under the same conditions and understandings as they were twenty years ago. This must change, and the legislation Senator DODD and I are introducing today will help establish a strong evidence-based approach to enhance organ donation and recovery and improving our understanding of this process.

The bill also includes several important provisions affecting living organ donation. First, it attempts to reduce potential financial disincentives toward serving as a living donor by allowing for the reimbursement of travel and other expenses incurred by living donors and their families.

Importantly, the bill also takes steps towards evaluating the long-term health effects of serving as a living donor by asking the Institute of Medicine to report on this issue, as well as through the establishment of a living donor registry intended to track the health of individuals who have served as living organ donors. There remain important questions surrounding how this registry should be structured, and I look forward to working with my colleagues and the experts in the field to finalize the details before any legislation is enacted.

Finally, I would like to address the issue of prospective organ donor registries. I am supportive of donor registries and feel they have an important role to play in improving organ donation rates. Moreover, I am pleased by the actions taken by some states to establish and enhance such registries. However, I am concerned that too great a focus has been placed on registries at a time when a number of questions surrounding registries remain unanswered and their effectiveness has not been fully evaluated. Therefore, the bill establishes an advisory committee to study this question and to report to Congress on the usefulness and success of organ donor registries and potential roles for the federal government to play in encouraging and improving such programs.

The Frist-Dodd Organ Donation and Recovery Improvement Act is supported by a wide range of patient and organ transplantation organizations. I am pleased that the bill is supported by the American Society of Transplantation, National Kidney Foundation, American Liver Foundation, North American Transplant Coordinators Organization, Patient Access to Transplantation Coalition, TN Donor Services, New Mexico Donor Services, and Golden State Donor Services. I thank them for their hard work and dedication to this issue.

Organ donation is one of the most important issues before us today. Each year, thousands of donors and families make the important decision to give consent and give the gift of life. We must recognize and honor their sacrifice, and, in so honoring, work to increase donation rates and allow more families to receive this gift of life each year. Hundreds of my own patients are alive today because of this gift. Let us work together to allow more patients and families to experience this miracle.

I thank Senators DODD, HUTCHINSON, JEFFORDS and ENZI for joining me in this effort, and look forward to working with them and my other colleagues to pass this important legislation this year.

Mr. DODD. Mr. President, most of us know February 14 as Valentine's Day, but for the past few years, it has shared that date with another vitally important, and unfortunately less well-known, event: National Donor Day.

Thanks to the selflessness of thousands, February 14 has become our Nation's largest one-day donation event. On a day that celebrates giving the gift of life, we should make a commitment to increasing our donation rates and saving even more lives.

Today, I am pleased to introduce legislation with Senator BILL FRIST to do just that. The Organ Donation and Recovery Improvement Act will bring attention to this critical public health issue by increasing resources and coordinating efforts to improve organ donation and recovery. I am proud to be working with my friend and colleague, Senator FRIST, whose leadership and professional experience as a heart and lung transplant surgeon has been critical in making this issue a priority.

At this very moment, more than 80,000 people are waiting for an organ transplant, and one person is added to this list every thirteen minutes. This has increased from 19,095 people on waiting lists a decade ago. Unfortunately, the discrepancy between the need and the number of available of organs is growing exponentially. From 1999 to 2000 transplant waiting list grew by 10.2 percent, while the total increase in donation grew by 5.3 percent. Tragically, in 2000, approximately 5,500 wait-listed patients died waiting for an organ.

Undoubtedly, the task before us seems daunting. However, each person who makes the decision to donate can save as many as three lives. These are our mothers, fathers, brothers, sisters, friends. None of us wants to imagine the anguish of watching a family member or a friend wait for an organ transplant hoping that their name reaches the top of the list before their damaged organ fails or having to bear the emotional, physical, or financial costs of undergoing a transplant procedure. For those that do, and for all of those that will, we must improve and strengthen our systems of organ donation and recovery. We must also work to remove the barriers that stand in a donor's way as he or she seeks to help another person continue life. States need the resources to determine for themselves how best to increase donations and a vital part of increasing donations lies in education and public awareness initiatives.

We must work to improve the science of donation and recovery and address legal issues relating to donation, including consent. More than 20 states currently have registries that may prove indispensable in ensuring that we honor a donor's wishes. We should study the benefits, and potential shortcomings, of these arrangements and work to create a national sense of urgency that matches the national need for donors.

I would like to recognize the invaluable support and guidance we received, in drafting this bill, from the American Society of Transplantation, the American Liver Foundation, the Patient Access to Transplantation Coalition, North American Transplant Coordinators Organization, and the National Kidney Foundation. I would be remiss not to mention the Association of Organ Procurement Organizations and the OPOs nationwide that have worked so tirelessly to bridge the gap between the immense need and the inadequate supply. In my home state of Connecticut, we are well served by the tremendous work of the Northeast Organ Procurement Organization and the New England Donor Bank.

Finally, I look forward to working with my colleagues, including Senator KENNEDY, Senator GREGG and Senator DURBIN, whose commitment to this issue has been unparalleled. I urge Congress to take swift action on bipartisan legislation aimed at increasing organ donation and saving lives.

Mr. JEFFORDS. Mr. President, today, Valentine's Day, provides a wonderful opportunity for me to offer my support for the Organ Donation and Recovery Improvement Act. I commend my colleagues, Senator FRIST of Tennessee and Senator DODD of Connecticut, for their leadership and commitment to this important issue. Organ transplantation provides perhaps the clearest example where scientific research has been translated and applied to modern medicine. Not too many years ago organ transplantation was associated with inconsistent success and numerous complications. Today these procedures have advanced to the point where success is commonplace. Not only the duration of life, but the quality of life, is improved.

I have carried an organ donor card in my wallet for more than twenty-five years, and I am a long-time organ donation supporter. In my home State of

Vermont, Representative Johannah Donovan has introduced a bill to allow for the creation of a donor registry through the Department of Motor Vehicles. It is an excellent example of trying to make the organ donor process easier and more efficient. So, I am proud to join my colleagues as an original sponsor in this effort to increase organ donation at the national level. Even though great strides have been made in organ procurement and distribution, problems remain, and those issues are addressed by this legislation. This proposal would establish a federal inter-agency task force to coordinate organ donation efforts and transplant research; expand the Federal organ-donation grant authority and provide funds to educate lay professionals in issues surrounding organ donation; expand the Agency for Healthcare Research and Quality authority to review and improve organ recovery, preservation, and transplantation; provide for two important Institute of Medicine studies to review and document issues associated with live organ donation; and establish an advisory committee to make recommendations regarding costs, benefits, expansion, availability, and other issues involving transplantation.

In Vermont, we are fortunate to have Fletcher Allen Medical Center. This state-of-the-art institution provides quality transplantation services to the residents of my state and surrounding areas. However, despite a wonderful facility and a well-trained and experienced staff of health professionals, Fletcher Allen is limited, like all similar institutions, by the high demand for donor organs and the limited supply. This legislation will move us closer to the day when all individuals who would benefit from transplantation are able to receive appropriate care in a timely manner. I urge all of my colleagues to join me in supporting this important legislation.

By Mrs. FEINSTEIN (for herself, Ms. CANTWELL, Mr. WYDEN, and Mrs. BOXER):

S. 1951. A bill to provide regulatory oversight over energy trading markets, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mrs. FEINSTEIN. Mr. President, I am pleased to introduce this bill today with Senators CANTWELL and WYDEN to make sure that all energy transactions are transparent and subject to regulatory oversight. With passage of this legislation, we can reinstate regulatory oversight to the marketplace and help ensure there is not a repeat of the energy crisis that had such a devastating impact on California and the West.

The Enron bankruptcy has uncovered many gaping holes in our regulatory structure, everything from accounting and investment practices to on-line energy transactions. Congress must take a look at all of this. The bill we are introducing today is a first step. The exemptions and exclusions to the 2000 Commodity Futures Modernization Act essentially gave EnronOnline, and the entire energy sector, the ability to operate a bilateral electronic trading forum absent any regulatory oversight or price transparency.

Let me give you an example of what that lack of transparency meant to California: On December 12, 2000, the price of natural gas on the spot market was $59 in southern California while it was $10 in nearby San Juan, NM. We know it costs less than $1 to transport gas from New Mexico to California because this was the cost when these transportation routes were transparent and regulated. So there was $48 unaccounted for that undoubtedly found its way into someone's pocket.

This problem lasted from November, 2000 to April, 2001, and all this time no one knew where all this money was going. The Senate Energy Committee looked at this issue last year but was not able to piece together all of what happened. In the wake of Enron's bankruptcy, however, we are beginning to learn a lot more. By controlling a significant number of energy transactions affecting California, some traders estimate that Enron controlled up to 50–70 percent of the natural gas transactions into southern California, and by trading in secret, Enron had the unique ability to manipulate prices and gouge customers. And the consumes, particularly those in California, ultimately bore the brunt of the costs. In fact, through the course of the crisis in California, the total cost of electricity soared from $7 billion in 1999 to $27 billion in 2000 and $26.7 billion in 2001.

A market does not function properly without transparency. Additionally, regulators need the authority and the tools to step in and do their jobs when markets have gone awry. This bill, then, is intended to close the regulatory loopholes that allowed EnronOnline to operate unregulated trading markets in secret. The Commodity Futures Modernization Act provided a regulatory exemption for bilateral transactions between sophisticated parties in nonagriculturual and nonfinancial commodities. This exclusion includes energy products and electronic trading forums. Because many of the EnronOnline transactions did not involve physical delivery, there was also no oversight by the Federal Energy Regulatory Commission. In determining which agency, FERC or the CFTC should have the proper authority, we are faced with two challenges: 1. FERC does not have the necessary expertise in derivative transactions; and 2. CFTC does not have the necessary expertise to protect consumers from out-of-control energy prices.

This bill tries to utilize the unique talents of each agency.

In summary, our legislation: 1. Repeals exemptions and exclusions provided for by the Commodity Futures Modernization Act of 2000; 2. ensures that energy dealers in derivatives markets (such as EnronOnline) cannot escape federal regulation; 3. makes sure that all multilateral markets and dealer markets in energy commodities are subject to registration, transparency, disclosure and reporting obligations; 4. gives FERC regulatory oversight authority over bilateral transactions not subject to CFTC oversight. Although CFTC would have antimanipulation authority over these transactions; 5. expands FERC jurisdiction to include derivatives transactions, which are defined to include transactions based on the cost of electricity or natural gas and include futures, options, forwards and swaps unless such transactions are under the jurisdiction of the CFTC or the state; and 6. Ensures that entities running on-line trading forums must maintain sufficient capital to carry out its operations and maintain open books and records for investigation and enforcement purposes.

This last point is also very important. Enron saw its future as a ''virtual'' company. As such it sold off many of its physical assets over the past few years. Investors lost confidence in Enron's ability to back up its trades since Enron did not have enough assets to back up its trades. This was a contributing factor in Enron's final spiral into bankruptcy.

Energy trading has gotten extremely arcane and complex over the last three decades. Very few people fully understand how swaps and other derivatives actually work. Without adequate transparency, regulatory oversight, and a regulatory agency willing to do its job, the likelihood is that consumers will pay the price. This is what happened in the California Energy Crisis and has happened with Enron. It would be unconscionable not to do everything we can to prevent the same thing from happening again.

By Mrs. BOXER (for herself, Ms. LANDRIEU, Mrs. FEINSTEIN, and Mr. BREAUX):

S. 1952. A bill to reacquire and permanently protect certain leases on the Outer Continental Shelf off the coast of California by issuing credits for new energy production in less environmentally sensitive areas in the Western and Central Planning Areas of the Gulf of Mexico; to the Committee on Energy and Natural Resources.

Mrs. BOXER. Mr. President, for decades, Californians have opposed oil and gas drilling along their coasts. Nothing sharpened this concern more than the horrific tanker spill that occurred off the coast of Santa Barbara in 1969. Californians are still living with the ecological implications of that spill and the myriad other spills and leaks associated with the rigs that are currently along our coast.

Unfortunately, 36 more leases off our coast remain eligible for oil and gas development and four additional leases remain in legal limbo.

That is the last thing Californians want or need.

California is now in a pitched legal battle with the Department of Interior over whether the State has the ability to deny these leases. I strongly support the State in this effort and have joined Representative Capps in filing an amicus brief in the case.

Every State should have the right to deny oil and gas development off their shores, as offshore activities inevitably impact the people and resources that are onshore. Last year, I reintroduced legislation, the Coastal States Protection Act, to place a moratorium on new drilling leases in Federal waters that are adjacent to State waters that have a drilling moratorium. That bill, however, addresses only the issue of future leases.

With regard to the existing leases off of California's coast, I am not completely confident that the courts will solve the problem. We must therefore act now to eliminate the threat, the threat to California's natural resources and the threat to our economy through losses in the tourism and fishing industries.

It is for this reason that I am proud to introduce today with my colleague Senator LANDRIEU, the California Coastal Protection and Louisiana Energy Enhancement Act.

Our bill would end the seemingly endless battle over the California leases and would permanently protect those areas from oil, gas, and mineral development.

Here's how it would work. Within 30 days of enactment, the Secretary of Interior would provide the oil companies holding the 40 California leases with a swap of equivalent value in the Gulf of Mexico. If all of the companies holding the California leases agree to this offer and agree to drop all pending litigation regarding those leases, then the California leases will be canceled, and the lessees will receive a credit equal to the amount paid for the leases plus the amount already spent to develop them.

These credits could be used only in the central and western Gulf, an area already open to drilling and open to further leasing. They could be used for bidding on new leases in that area or to pay royalty payments for existing drilling activities in that area.

The 40 tracts off of California's coast would then be converted to an ecological preserve, thus permanently protecting the areas from future mineral leasing and development. The tracts would be managed for the protection of traditional fishing activities as well as conservation, scientific, and recreational benefits.

I am very proud of this legislation, and this very promising proposal to end the imminent threat of additional drilling off California's coast. We have been very careful to make sure that these credits are designed in a way that will not promote new drilling in environmentally sensitive areas. Instead, these credits can only be used in non-controversial areas that have already been set aside for future development.

We have also been very careful to ensure that the Federal Government, and in turn, the Federal taxpayer are protected from any future claims by these companies regarding these leases.

And, I am very pleased to say that we have worked to ensure that the 40 California tracts will never again be threatened by offshore development.

In short, we get rid of unwanted drilling in California and permanently protect these sensitive areas. The oil companies are freed from a protracted legal battle and allowed to take their business elsewhere. And, the Federal Government is protected from expensive litigation that the companies are currently pursuing.

I believe that we have hit upon the proverbial win-win situation. And I look forward to having this bill became a reality soon.

By Mr. FEINGOLD (for himself, Ms. COLLINS, Mr. KOHL, and Mr. DAYTON):

S. 1953. A bill to amend title XVIII of the Social Security Act to eliminate the geographic physician work adjustment factor from the geographic indices used to adjust payments under the physician fee schedule; to the Committee on Finance.

By Mr. FEINGOLD (for himself, Ms. COLLINS, Mr. KOHL, and Mr. DAYTON):

S. 1954. A bill to establish a demonstration project under the Medicare program under title XVIII of the Social Security Act to provide the incentives necessary to attract educators and clinical practitioners to underserved areas; to the Committee on Finance.

By Mr. FEINGOLD (for himself, Ms. COLLINS, Mr. KOHL, and Mr. DAYTON):

S. 1955. A bill to amend title XVIII of the Social Security Act to require that the area wage adjustment under the prospective payment system for skilled nursing facility services be based on the wages of individual's employed at skilled nursing facilities; to the Committee on Finance.

Mr. FEINGOLD. Mr. President, I rise today to join with my colleague from Maine to introduce legislation to restore fairness to the Medicare program. This package of legislation will reduce regional inequalities in Medicare spending and support providers of high-quality, low-cost Medicare services.

Just about a month ago, I met with representatives of Wisconsin's hospitals, doctors, and seniors, who spoke passionately about how Medicare inequities have a real and serious impact on the lives of Wisconsin seniors, and on health care providers in my State. Wisconsin seniors and providers came to me with these concerns, and this legislation is a direct result of their advocacy. I thank them for their efforts.

I also want to thank my colleague from Maine, who has joined me on a number of health care initiatives that address the mutual concerns of our constituents. I am grateful for her efforts on health care issues that concern both of our States, such as home health care, access to emergency services, and this legislation on Medicare fairness.

The Medicare program should encourage the kind of high-quality, cost-effective Medicare services that we have in Wisconsin and Maine. But unfortunately, that's not the case.

To give an idea of how inequitable the distribution of Medicare dollars is, imagine identical twins over the age of 65. Both twins worked at the same company all their lives, at the same salary, and paid the same amount to the Federal Government in payroll taxes, the tax that goes into the Medicare Trust Fund. But if one twin retired to another part of the country and the other retired in Wisconsin, they would have vastly different health care options under the Medicare system.

The high Medicare payments in some areas allow Medicare beneficiaries a wide array of options, they can choose between an HMO or traditional fee-for-service plan, and, because area health care providers are reimbursed at such a high rate, those providers can afford to offer seniors a broad range of health care services. The twin in Wisconsin, however, would not have the same access to care, there is no option to choose an HMO, and there are fewer health care agencies that can afford to provide care under the traditional fee-for-service plan.

How can two people with identical backgrounds, who paid the same amount in payroll taxes, have such different options under Medicare?

They do, because the distribution of Medicare dollars among the 50 States is grossly unfair to Wisconsin, and many other states around the country. Too many Americans in Wisconsin and other States like it pay just as much in taxes as everyone else, but the Medicare funds they get in return don't come close to matching the money they pay in to the program.

Wisconsin has a lot of company in this predicament. More than 35 States are below the national average in terms of per beneficiary Medicare spending. In some States, such as Wyoming and Idaho, Medicare spends almost $2,000 less per beneficiary than the national average.

While there are different reasons for this wide range in Medicare payments, their result is often the same, higher private sector insurance costs and a loss of access to care. In Milwaukee WI, there are reports that lower Medicare reimbursement rates often causes costs to shift to the private sector. In rural parts of Wisconsin, these low reimbursement rates jeopardize access to health care services.

In the case of my home State of Wisconsin, low payment rates are in large part a result of health care proviers' historically high-quality, cost-effective health care. In the early 1980s, Wisconsin's lower-than-average cost were used

to justify lower payment rates. Since that time, Medicare's payment policies have only widened the gap between low- and high-cost States.

This package of legislation will take us a step in the right direction by reducing the inequities in Medicare payments to hospitals, physicians, and skilled nursing facilities that the majority of States across the country now face.

At the same time, our proposal would establish pilot programs to encourage high-quality, cost-effective Medicare practices. Our proposal would reward providers who deliver higher quality at lower cost. It would also require that the pilot States create a plan to increase the amount of providers providing high quality, cost-effective care to Medicare beneficiaries.

This legislation would also help to address the unique workforce needs of urban and very rural areas by encouraging clinical rotations in those areas. These rotations could help focus a workforce on the specific challenges facing these areas, so that they can deliver care that serves the unique needs that they have.

Congress must modernize Medicare. But it must also restore basic fairness to the Medicare program.

My legislation demands Medicare fairness for Wisconsin and other affected States, plain and simple. Medicare shouldn't penalize high-quality providers of Medicare services, and most of all Medicare should stop penalizing seniors who depend on the program for their health care. They have worked hard and paid into the program all their lives, and in return they deserve full access to the wide range of benefits that Medicare has to offer.

I look forward to working with my colleagues to move this legislation forward. I believe that we can rebalance the budget, while at the same time encouraging efficient, quality enhancing services, and that's what my legislation sets out to do.

Mr. KOHL. Mr. President, I rise today in strong support of the Medicare Value and Quality Demonstration Act, the Physician Wage Fairness Act, the Graduate Medical Education Demonstration Act, and the Skilled Nursing Facility Wage Information Improvement Act. I am proud to cosponsor this package of legislation that will finally begin to address the grossly distorted Medicare reimbursement system, which penalizes health care providers in States like Wisconsin for being efficient as they provide high-quality care, and penalizes seniors in Wisconsin by delivering fewer benefits than seniors in other States receive. I want to commend Senator FEINGOLD and Senator COLLINS for their hard work and commitment to fixing this problem, and I am proud to join them as an original cosponsor in this effort.

This issue points to a basic question of fairness. The current Medicare reimbursement system is extremely unfair for Wisconsin. Because Wisconsin has been successful in holding down health care costs, current Medicare payment rates are very low in comparison to higher cost States, like Florida and California. In other words, the current system effectively punishes Wisconsin providers for being more efficient, and puts Medicare beneficiaries in Wisconsin at an unfair disadvantage compared to beneficiaries in other States.

This system has to change. My constituents in Wisconsin pay the same Medicare payroll tax as people in other States. They suffer from the same illnesses; they need the same treatments; they see the same types of health providers. Yet Wisconsin Medicare beneficiaries receive on average $3,795 in Medicare benefits per year, the eighth lowest in the country. That's 25 percent below the national average of $5,034. A study conducted by the Rural Wisconsin Health Cooperative found that this costs Wisconsin nearly a billion dollars each year in Medicare dollars lost.

There is simply no logical reason why Wisconsin doctors, hospitals, nursing homes, and ultimately, Wisconsin beneficiaries, should receive less reimbursement and fewer Medicare benefits than other States receive. And there is no logical reason why Medicare tax dollars paid by Wisconsinites should instead be used to pay higher rates to providers and greater benefits to beneficiaries in other States.

And this system isn't just bad for seniors on Medicare. The current system also has major consequences for businesses and non-Medicare patients in Wisconsin. When Medicare reimbursement to hospitals or nursing homes or doctors is inadequate, somebody has to make up the difference in order for these providers to stay afloat. This means that Wisconsin employers who provide health insurance for their employees, and patients who pay all or part of their health care bills, must pay higher prices and premiums to make up the shortfall. This is unfair to all of Wisconsin's citizens and exacerbates the problem of rising health care costs.

We should all be outraged by a system that treats seniors in some States like second-class citizens. Congress must stop sanctioning the current system, which penalizes Medicare beneficiaries based on where they live, penalizes providers for being efficient, and rewards providers that do not do their part to hold the line on costs. This backward system simply makes no sense.

The package of bills introduced today will finally begin to turn this system around and ensure that health care providers in Wisconsin and similarly affected States are adequately reimbursed and rewarded for providing high quality, cost-effective care. It will eliminate outdated and inaccurate data that is currently used to determine Medicare's flawed payment rates. And most importantly, it will help level the playing field for seniors in Wisconsin by helping to ensure that they have access to the same benefits as seniors in other States.

First, the Skilled Nursing Facility Wage Information Improvement Act will create a reimbursement system for nursing homes that is actually based on accurate nursing home data. This would seem to be common sense; yet the current formula for determining Medicare nursing home payments is based on hospital wage data that is inaccurate and discriminates against many States like Wisconsin. The Centers for Medicare and Medicaid Services, CMS, is now compiling nursing home wage data but as of yet has not finalized a plan to utilize it. This bill would set October 1, 2002 as the date for which CMS must incorporate the nursing home data.

Second, the Medicare Value and Quality Demonstration Act would begin to reverse the backward incentive structure in today's Medicare system. Medicare currently penalizes low-cost, high-quality States and health care providers by delivering inadequate reimbursement for their services. It just makes no sense to penalize providers who are working hard to be cost-effective and provide high-quality care at the same time. This second bill would create 4 demonstration projects to provide bonus incentive payments to high-quality, low-cost hospitals and doctors in the demonstration States. These States would also have to implement a plan to encourage more of their providers to deliver low-cost, high-quality care.

Third, the Physician Wage Fairness Act would correct a flaw in the payment system for physicians. The current physician payment formula includes a geographic adjustor that is outdated. Many studies now point to the fact that the labor market for health professionals is actually a national labor market and therefore, a geographic adjustor simply does not match today's reality. This bill would eliminate the geographic adjustor and bring the physician payment formula up to date. Wisconsin's physicians stand to gain $8 million more in Medicare reimbursement with passage of this legislation.

Finally, the Graduate Medical Education Demonstration Act would help address the issue of shortages of health professionals in underserved areas. It allows the HHS Secretary to use Medicare Graduate Medical Education funds to create a program to give providers in underserved areas financial incentives to attract educators and clinical practitioners.

This package of legislation is not the end of the story when it comes to fixing Medicare's current flawed payment system. In addition to this package, for the past 2 years I have been a cosponsor of the Medicare Fairness in Reimbursement Act, introduced by Senators HARKIN and CRAIG. This bill also works to level the playing field between high payment States and low payment

States, with a particular emphasis on improving reimbursement rates for rural areas. And I look forward to continuing to work with Senator FEINGOLD and Senator COLLINS on additional legislation that will deal with the complicated problems of hospital reimbursement and Medicare + Choice.

But these bills are an important first step toward fixing a system that is not just unfair to my State; it is inaccurate, outdated, and creates perverse incentives for inefficient providers.

Many of us in the Congress are working to update Medicare and modernize its structure to fit today's health care system. It is critical that we add a prescription drug benefit for seniors so they don't have to choose between taking their medicine and eating their next meal. It makes sense to add more preventive benefits to keep seniors healthy at the start rather than only treating illnesses when they become more serious. I strongly support these efforts and hope that Congress will act this year. But if we don't also fix the inequities in Medicare's payment system, these new benefits could also turn out to be inequitable for Wisconsin's seniors. This is an issue that must be addressed if Congress is serious about passing real Medicare reform.

Again, I want to commend Senators FEINGOLD and COLLINS for their hard work on this package. I look forward to working with them as Medicare reform moves forward.

By Mr. KOHL (for himself, Mr. HATCH, Mr. SCHUMER, and Ms. CANTWELL):

S. 1956. A bill to combat terrorism and defend the Nation against terrorist attacks, and for other purposes; to the Committee on the Judiciary.

Mr. KOHL. Mr. President, I rise today to introduce the Safe Explosives Act. This legislation will help prevent the criminal use and accidental misuse of explosive materials.

The events of September 11 have tragically demonstrated how good terrorists are at seeking out loopholes in our Nation's defenses. Law enforcement, now more than ever, must be several steps ahead of these criminals.

Most Americans would be stunned to learn that in some States it is easier to get enough explosives to take down a house than it is to buy a gun, get a drivers' license, or even obtain a fishing license. Currently, it is far too easy for would-be terrorists and criminals to obtain explosive materials. Although permits are required for interstate purchases of explosives, there are no current uniform national limitations on the purchase of explosives within a single state by a resident of that State. As a result, a patchwork quilt of State regulations covers the intrastate purchase of explosive materials. In some States, anyone can walk into a hardware store and buy plastique explosives or a box of dynamite. No background check is conducted, and no effort is made to check whether the purchaser knows how to properly use this deadly material. In at least 12 States, there are little to no restrictions on the intrastate purchase of explosives.

Since September 11, the threat of a terrorist attack involving explosives is more real than ever. As Richard Reid, the so-called ''shoe bomber,'' recently demonstrated when he tried to take down a Boeing 767 en route from Paris to Miami, terrorists are actively trying to use explosives in pursuit of their aims. We must be more vigilant in overseeing the purchase and possession of explosives if we ever hope to prevent future potential disasters.

The Safe Explosives Act would close the deadly loophole in our current laws by requiring people who want to acquire and possess explosive materials to obtain a permit. This measure would significantly reduce the availability of explosives to terrorists, felons, and others prohibited by current federal law from possessing dangerous explosives.

Let me elaborate on what the proposal does. As I said, under current law anyone who is involved in interstate shipment, purchase, or possession of explosives must have a Federal permit. This legislation creates the same requirement for intrastate purchases. It calls for two types of permits for these intrastate purchasers: user permits and limited user permits. The user permit lasts for 3 years and allows unlimited explosives purchases. The limited user permit also expires after 3 years, but only allows six purchases per year. We created this two-tier system so that low-volume users would not be burdened by regulations. The limited permit, like the user permit, imposes commonsense rules such as a background check, monitoring of explosives purchases, secure storage, and report of sale or theft of explosives. However, the Safe Explosives Act does not subject the limited user to the record keeping requirements currently required for full permit holders.

In addition to creating the permit system, our measure makes some commonsense addition to the classes of people who are barred from buying or possessing explosives. Current Federal explosives law prohibits certain people from purchasing or possessing explosives. The list of people barred is roughly parallel to those prohibited by Federal firearms law. For example, convicted felons are not allowed to buy guns or explosives. However, while current law bars nonimmigrant aliens from buying guns, they are not prohibited from buying explosives. That makes no sense. The Safe Explosives Act would stop nonimmigrant aliens from being able to buy explosives. Since we now know that several of the September 11 terrorists were nonimmigrant aliens, and that sleeper terrorist cells made up of nonimmigrant aliens have been operating within U.S. borders for number of years, this provision is especially important.

In addition, the Safe Explosives Act improves the public's safety by requiring permit holders to adhere to proper storage and safety regulations. These provisions will help ensure the safety of explosives handlers and prevent accidental or criminal detonation of explosives. Sadly, each year, many people are seriously injured or killed by misuse and criminal use of explosives. For example, in 1997, there were 4,777 explosives incidents, killing 27 and injuring 164 people, and resulting in more than $7.3 million in property damage. Our proposal will help reduce these numbers.

This measure strikes a reasonable balance between stopping dangerous people from getting explosives and helping legitimate users obtain and possess explosives. Most large commercial users already have explosives permits because they engage in interstate explosives transport. These users would not be significantly affected by our legislation. The low-volume users will be able to quickly and cheaply get a limited permit. And high-volume intrastate purchasers who are running businesses that require explosives should easily be able to get an unlimited user permit. Also, the measure will not affect those who use black or smokeless powder for recreation, as the legislation does not change current regulations on those particular materials.

Our goal is simple. We must take all possible steps to keep deadly explosives out of the hands of dangerous individuals seeking to threaten our livelihood and security. The Safe Explosives Act is critical legislation, supported by the administration. It is designed solely to the interest of public safety. It will significantly enhance our efforts to limit the proliferation of explosives to would be terrorists and criminals. It will close a loophole that could potentially cause mass destruction of property and life. I hope my colleagues will support our efforts to pass this vital law. Thank you.

I ask unanimous consent that the text of the bill be printed in the RECORD.

S. 1956

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 referred to as the ''Safe Explosives Act''.

SEC. 2. PERMITS FOR PURCHASERS OF EXPLOSIVES.

(a) DEFINITIONS.—Section 841(j) of title 18, United States Code, is amended to read as follows:

''(j) 'Permittee' means any user of explosives for a lawful purpose, who has obtained either a user permit or a limited permit under the provisions of this chapter.''.

(b) PERMITS FOR PURCHASE OF EXPLOSIVES.—Section 842 of title 18, United States Code, is amended—

(1) in subsection (a)(2), by striking ''and'' at the end;

(2) by striking subsection (a)(3) and inserting the following:

''(3) other than a licensee or permittee knowingly—

''(A) to transport, ship, cause to be transported, or receive any explosive materials; or

''(B) to distribute explosive materials to any person other than a licensee or permittee; or

''(4) who is a holder of a limited permit—

''(A) to transport, ship, cause to be transported, or receive in interstate or foreign commerce any explosive materials; or

''(B) to receive explosive materials from a licensee or permittee, whose premises are located within the State of residence of the limited permit holder, on more than 6 separate occasions, pursuant to regulations implemented by the Secretary.'';

(3) by striking subsection (b) and inserting the following:

''(b) It shall be unlawful for any licensee or permittee knowingly to distribute any explosive materials to any person other than—

''(1) a licensee;

''(2) a holder of a user permit; or

''(3) a holder of a limited permit who is a resident of the State where distribution is made and in which the premises of the transferor are located.''; and

(4) in the first sentence of subsection (f), by inserting '', other than a holder of a limited permit,'' after ''permittee''.

(c) LICENSES AND USER PERMITS.—Section 843(a) of title 18, United States Code, is amended—

(1) by inserting ''or limited permit'' after ''user permit'' in the first sentence;

(2) by inserting before the period at the end of the first sentence the following: '', including the names of and appropriate identifying information regarding all employees who will handle explosive materials, as well as fingerprints and a photograph of the applicant (including, in the case of a corporation, partnership, or association, any individual possessing, directly or indirectly, the power to direct or cause the direction of the management and policies of the corporation, partnership, or association)''; and

(3) by striking the third sentence and inserting ''Each license or user permit shall be valid for no longer than 3 years from the date of issuance and each limited permit shall be valid for no longer than 1 year from the date of issuance. Each license or permit shall be renewable upon the same conditions and subject to the same restrictions as the original license or permit and upon payment of a renewal fee not to exceed one-half of the original fee.''.

(d) CRITERIA FOR APPROVING LICENSES AND PERMITS.—Section 843(b) of title 18, United States Code, is amended—

(1) in paragraph (4), by striking ''and'' at the end;

(2) in paragraph (5), by striking the period at the end; and

(3) by adding at the end the following:

''(6) none of the employees of the applicant who will possess explosive materials in the course of their employment with the applicant is a person whose possession of explosives would be unlawful under section 842(i) of this chapter; and

''(7) in the case of a limited permit, the applicant has certified in writing that the applicant will not receive explosive materials on more than 6 separate occasions during the 12-month period for which the limited permit is valid.''.

(e) INSPECTION AUTHORITY.—Section 843(f) of title 18, United States Code, is amended—

(1) in the first sentence—

(A) by striking ''permittees'' and inserting ''holders of user permits''; and

(B) by inserting ''licensees and permittees'' before the words ''shall submit''; and

(2) in the second sentence, by striking ''permittee'' the first time it appears and inserting ''holder of a user permit''.

(f) POSTING OF PERMITS.—Section 843(g) of title 18, United States Code, is amended by inserting ''user'' before ''permits''.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect 180 days after the date of enactment of this Act.

SEC. 3. PERSONS PROHIBITED FROM RECEIVING OR POSSESSING EXPLOSIVE MATERIALS.

(a) DISTRIBUTION OF EXPLOSIVES.—Section 842(d) of title 18, United States Code, is amended—

(1) in paragraph (5), by striking ''or'' at the end;

(2) in paragraph (6), by striking the period at the end and inserting ''or who has been committed to a mental institution;''; and

(3) by adding at the end the following:

''(7) is an alien, other than an alien who is lawfully admitted for permanent residence (as defined in section 101 (a)(20) of the Immigration and Nationality Act) or an alien described in subsection (q)(2);

''(8) has been discharged from the armed forces under dishonorable conditions; or

''(9) having been a citizen of the United States, has renounced the citizenship of that person.''.

(b) POSSESSION OF EXPLOSIVE MATERIALS.—Section 842(i) of title 18, United States Code, is amended—

(1) in paragraph (3), by striking ''or'' at the end; and

(2) by inserting after paragraph (4) the following:

''(5) who is an alien, other than an alien who is lawfully admitted for permanent residence (as that term is defined in section 101(a)(20) of the Immigration and Nationality Act) or an alien described in subsection (q)(2);

''(6) who has been discharged from the armed forces under dishonorable conditions; or

''(7) who, having been a citizen of the United States, has renounced the citizenship of that person.''.

(c) DEFINITION.—Section 842 of title 18, United States Code, is amended by adding at the end the following:

''(q) PROVISIONS RELATING TO LEGAL ALIENS.—

''(1) DEFINITION.—In this subsection, the term 'alien' has the same meaning as in section 101(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(3)).

''(2) EXCEPTIONS.—Subsections (d)(7) and (i)(5) do not apply to any alien who—

''(A) is in lawful nonimmigrant status, is a refugee admitted under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157), or is in asylum status under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158);

''(B) is a foreign law enforcement officer of a friendly foreign government entering the United States on official law enforcement business;

''(C) is a person having the authority to direct or cause the direction of the management and policies of a corporation, partnership, or association licensed pursuant to section 843(a), and the shipping, transporting, possessing, or receiving of explosive materials relates to that authority; or

''(D) is a member of a North Atlantic Treaty Organization (NATO) or other friendly foreign military force (whether or not admitted in a nonimmigrant status) who is present in the United States under military orders for training or other authorized purpose, and the shipping, transporting, possessing, or receiving explosive materials is in furtherance of the military purpose.''.

''(3) WAIVER.—

''(A) CONDITIONS FOR WAIVER.—Any individual who has been admitted to the United States under a nonimmigrant visa may receive a waiver from the requirements of subsection (i)(5) if—

''(i) the individual submits to the Attorney General a petition that meets the requirements of subparagraph (C); and

''(ii) the Attorney General approves the petition.

''(B) PETITION.—Each petition submitted in accordance with subparagraph (A) shall—

''(i) demonstrate that the petitioner has resided in the United States for a continuous period of not less than 180 days before the date on which the petition is submitted under this paragraph; and

''(ii) include a written statement from the embassy or consulate of the petitioner, authorizing the petitioner to acquire explosives and certifying that the alien would not, absent the application of subsection (i)(5), otherwise be prohibited from such an acquisition under subsection (i).

''(C) APPROVAL OF PETITION.—The Attorney General shall approve a petition submitted in accordance with this paragraph if the Attorney General determines that waiving the requirements of subsection (i)(5) with respect to the petitioner—

''(i) would be in the interests of justice; and

''(ii) would not jeopardize the public safety.''.

SEC. 4. REQUIREMENT TO PROVIDE SAMPLES OF EXPLOSIVE MATERIALS AND AMMONIUM NITRATE.

Section 843 of title 18, United States Code, is amended by adding at the end the following:

''(h) FURNISHING OF SAMPLES.—

''(1) IN GENERAL.—Licensed manufacturers and licensed importers and persons who manufacture or import explosive materials or ammonium nitrate shall, when required by letter issued by the Secretary, furnish—

''(A) samples of such explosive materials or ammonium nitrate;

''(B) information on chemical composition of those products; and

''(C) any other information that the Secretary determines is relevant to the identification and classification of the explosive materials or to identification of the ammonium nitrate.

''(2) REIMBURSEMENT.—The Secretary may, by regulation, authorize reimbursement of the fair market value of samples furnished pursuant to this subsection, as well as the reasonable costs of shipment.''.

SEC. 5. DESTRUCTION OF PROPERTY OF INSTITUTIONS RECEIVING FEDERAL FINANCIAL ASSISTANCE.

Section 844(f)(1) of title 18, United States Code, is amended by inserting before the word ''shall'' the following: ''or any institution or organization receiving Federal financial assistance,''.

SEC. 6. RELIEF FROM DISABILITIES.

Section 845(b) of title 18, United States Code, is amended to read as follows:

''(b) RELIEF FROM DISABILITIES.—

''(1) IN GENERAL.—A person who is prohibited from possessing, shipping, transporting, receiving purchasing, importing, manufacturing, or dealing in explosive materials may make application to the Secretary for relief from the disabilities imposed by Federal law with respect to the acquisition, receipt, transfer, shipment, transportation, or possession of explosive materials, and the Secretary may grant that relief, if it is established to the satisfaction of the Secretary that—

''(A) the circumstances regarding the disability, and the record and reputation of the applicant are such that the applicant will not be likely to act in a manner dangerous to public safety; and

''(B) that the granting of the relief will not be contrary to the public interest.

''(2)PETITION FOR JUDICIAL REVIEW.—Any person whose application for relief from disabilities under this section is denied by the Secretary may file a petition with the United States district court for the district in which that person resides for a judicial review of the denial.

''(3) ADDITIONAL EVIDENCE.—The court may, in its discretion, admit additional evidence where failure to do so would result in a miscarriage of justice.

''(4) FURTHER OPERATIONS.—A licensee or permittee who conducts operations under this chapter and makes application for relief from the disabilities under this chapter, shall not be barred by that disability from further operations under the license or permit of that person pending final action on an application for relief filed pursuant to this section.

''(5) NOTICE.—Whenever the Secretary grants relief to any person pursuant to this section, the Secretary shall promptly publish in the Federal Register, notice of that action, together with reasons for that action.''.

SEC. 7. THEFT REPORTING REQUIREMENT.

Section 842 of title 18, United States Code, as amended by this Act, is amended by adding at the end the following:

''(r) THEFT REPORTING REQUIREMENT.—

''(1) IN GENERAL.—A holder of a limited user permit who knows that explosive materials have been stolen from that user, shall report the theft to the Secretary not later than 24 hours after the discovery of the theft.

''(2) PENALTY.—A holder of a limited user permit who does not report a theft in accordance with paragraph (1), shall be fined not more than $10,000, imprisoned not more than 5 years, or both.''.

SEC. 8. APPLICABILITY.

Nothing in this Act shall be construed to affect the exception in section 845(a)(4) (relating to small arms ammunition and components of small arms ammunition) or section 845(a)(5) (relating to commercially manufactured black powder in quantities not to exceed 50 pounds intended to be used solely for sporting, recreational, or cultural purposes in antique firearms) of title 18, United States Code.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 210—DESIGNATING FEBRUARY 14, 2002, AS ''NATIONAL DONOR DAY''

Mr. DURBIN (for himself, Mr. DEWINE, Mr. FRIST, Mr. KENNEDY, Mr. TORRICELLI, Ms. COLLINS, Mr. BREAUX, Mr. WELLSTONE, Mr. BIDEN, Mr. INOUYE, Mr. KOHL, Ms. LANDRIEU, Mr. SPECTER, Mr. JOHNSON, Mr. DORGAN, Mr. CLELAND, Mr. GRAHAM, Mr. DODD, Mr. ENZI, Mr. LEVIN, Mr. KERRY, and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 210

Whereas more than 80,000 individuals await organ transplants at any given moment;

Whereas another man, woman, or child is added to the national organ transplant waiting list every 13 minutes;

Whereas despite progress in the last 16 years, more than 16 people die each day because of a shortage of donor organs;

Whereas almost everyone is a potential donor of organs, tissue, bone marrow, or blood;

Whereas transplantation has become an element of mainstream medicine that prolongs and enhances life;

Whereas for the fifth consecutive year, a coalition of health organizations is joining forces for National Donor Day;

Whereas the first 3 National Donor Days raised a total of nearly 30,000 units of blood, added more than 6,000 potential donors to the National Marrow Donor Program Registry, and distributed tens of thousands of organ and tissue pledge cards;

Whereas National Donor Day is America's largest 1-day organ, tissue, bone marrow, and blood donation event; and

Whereas a number of businesses, foundations, and health organizations and the Department of Health and Human Services have designated February 14, 2002, as National Donor Day: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideas of National Donor Day;

(2) encourages all Americans to learn about the importance of organ, tissue, bone marrow, and blood donation and to discuss such donation with their families and friends; and

(3) requests that the President issue a proclamation calling on the people of the United States to conduct appropriate ceremonies, activities, and programs to demonstrate support for organ, tissue, bone marrow, and blood donation.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2878. Mr. DURBIN (for himself and Mr. NELSON, of Florida) submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table.

SA 2879. Mr. REID (for himself, Mr. SPECTER, and Mr. FEINGOLD) proposed an amendment to the bill S. 565, supra.

SA 2880. Mr. THOMAS (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2881. Mr. THOMAS submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2882. Mr. THOMAS submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2883. Mr. CLELAND (for himself and Mr. MILLER) submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2884. Mr. CLELAND submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2885. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2886. Mr. BURNS submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2887. Mr. BURNS submitted an amendment intended to be proposed by him to the bill S. 565, supra.

SA 2888. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2889. Mr. LIEBERMAN (for himself and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill S. 565, supra.

SA 2890. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill S. 565, supra.

SA 2891. Mr. KYL proposed an amendment to the bill S. 565, supra.

SA 2892. Mr. MCCONNELL proposed an amendment to amendment SA 2891 proposed by Mr. KYL to the bill (S. 565) supra.

SA 2893. Mr. ENSIGN (for himself, Mr. HATCH, and Mr. BURNS) submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2894. Mr. HOLLINGS (for himself and Mr. REID) submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2895. Mr. DURBIN (for himself, Mr. NELSON, of Florida, and Mr. GRAHAM) proposed an amendment to the bill S. 565, supra.

SA 2896. Mr. DASCHLE proposed an amendment to the bill H.R. 3090, to provide tax incentives for economic recovery.

SA 2897. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table.

SA 2898. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill S. 565, supra.

SA 2899. Mr. TORRICELLI submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2900. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2901. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2902. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 565, supra; which was ordered to lie on the table.

SA 2903. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 565, supra; which was ordered to lie on the table.

SA 2904. Mr. NELSON, of Florida (for himself and Mr. GRAHAM) proposed an amendment to the bill S. 565, supra.

SA 2905. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2906. Mrs. CLINTON proposed an amendment to the bill S. 565, supra.

SA 2907. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2908. Mr. MCCONNELL (for Mr. CHAFEE (for himself and Mr. REED)) proposed an amendment to the bill S. 565, supra.