

member of the uniformed services or the Foreign Service shall be treated as using a principal residence while away from home on qualified official extended duty in determining the exclusion of gain from the sale of such residence.

S. 1712

At the request of Mr. GRASSLEY, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 1712, a bill to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, and for other purposes.

S. 2084

At the request of Mr. BOND, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2084, a bill to amend the Internal Revenue Code of 1986 to clarify the exemption from tax for small property and casualty insurance companies.

S. 2122

At the request of Mrs. CARNAHAN, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of S. 2122, a bill to provide for an increase in funding for research on uterine fibroids through the National Institutes of Health, and to provide for a program to provide information and education to the public on such fibroids.

S. 2181

At the request of Mr. MCCAIN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 2181, a bill to review, reform, and terminate unnecessary and inequitable Federal subsidies.

S. 2268

At the request of Mr. MILLER, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. 2268, a bill to amend the Act establishing the Department of Commerce to protect manufacturers and sellers in the firearms and ammunition industry from restrictions on interstate or foreign commerce.

S. 2513

At the request of Mr. BIDEN, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 2513, a bill to assess the extent of the backlog in DNA analysis of rape kit samples, and to improve investigation and prosecution of sexual assault cases with DNA evidence.

S. 2569

At the request of Mrs. CLINTON, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2569, a bill to award a congressional gold medal to Dr. Dorothy Height, in recognition of her many contributions to the Nation.

S. 2663

At the request of Mr. CHAFEE, his name was added as a cosponsor of S. 2663, a bill to permit the designation of Israeli-Turkish qualifying industrial zones.

S. 2663

At the request of Mr. BREAUX, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 2663, *supra*.

S. 2683

At the request of Mr. HUTCHINSON, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2683, a bill to amend the Internal Revenue Code of 1986 to clarify that church employees are eligible for the exclusion for qualified tuition reduction programs of charitable educational organizations.

S. 2718

At the request of Mr. BURNS, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 2718, a bill to redesignate the position of the Secretary of the Navy as Secretary of the Navy and Marine Corps, and for other purposes.

S. 2770

At the request of Mr. DODD, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 2770, a bill to amend the Federal Law Enforcement Pay Reform Act of 1990 to adjust the percentage differentials payable to Federal law enforcement officers in certain high-cost areas.

S. 2790

At the request of Ms. CANTWELL, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 2790, a bill to provide lasting protection for inventoried roadless areas within the National Forest System.

S. 2869

At the request of Mr. KERRY, the names of the Senator from Indiana (Mr. BAYH), the Senator from Nevada (Mr. REID), the Senator from Louisiana (Ms. LANDRIEU), the Senator from California (Mrs. BOXER) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2869, a bill to facilitate the ability of certain spectrum auction winners to pursue alternative measures required in the public interest to meet the needs of wireless telecommunications consumers.

S. 2892

At the request of Mr. KENNEDY, the names of the Senator from Oregon (Mr. SMITH) and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of S. 2892, a bill to provide economic security for America's workers.

S. 2903

At the request of Mr. JOHNSON, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 2903, a bill to amend title 38, United States Code, to provide for a guaranteed adequate level of funding for veterans health care.

S. 2906

At the request of Mr. BINGAMAN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2906, a bill to amend title 23, United States Code, to establish a

program to make allocations to States for projects to expand 2-lane highways in rural areas to 4-lane highways.

S. 2908

At the request of Mr. FEINGOLD, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 2908, a bill to require the Secretary of Defense to establish at least one Weapons of Mass Destruction Civil Support Team in each State, and for other purposes.

S. 2926

At the request of Mr. SANTORUM, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 2926, a bill to name the Department of Veterans Affairs outpatient clinic in Horhsam, Pennsylvania, as the "Victor J. Saracini Department of Veterans Affairs Outpatient Clinic".

S. 2935

At the request of Ms. LANDRIEU, the names of the Senator from Louisiana (Mr. BREAUX), the Senator from New Hampshire (Mr. GREGG) and the Senator from Arkansas (Mr. HUTCHINSON) were added as cosponsors of S. 2935, a bill to amend the Public Health Service Act to provide grants for the operation of mosquito control programs to prevent and control mosquito-borne diseases.

S.J.RES. 2

At the request of Mr. CRAIG, his name was added as a cosponsor of S.J.Res. 2, A joint resolution to provide for a Balanced Budget Constitutional Amendment that prohibits the use of Social Security surpluses to achieve compliance.

AMENDMENT NO. 4508

At the request of Mr. FEINGOLD, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of amendment No. 4508 intended to be proposed to H.R. 5005, a bill to establish the Department of Homeland Security, and for other purposes.

AMENDMENT NO. 4509

At the request of Mr. FEINGOLD, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of amendment No. 4509 intended to be proposed to H.R. 5005, a bill to establish the Department of Homeland Security, and for other purposes.

AMENDMENT NO. 4518

At the request of Mr. CRAIG, the names of the Senator from Wyoming (Mr. THOMAS) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of amendment No. 4518 proposed to H.R. 5093, a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2003, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CAMPBELL:

S. 2941. A bill to authorize grants for the establishment of quasi-judicial

campus drug courts at colleges and universities modeled after State drug courts programs; to the Committee on the Judiciary.

Mr. CAMPBELL. Mr. President, today I introduce the "Campus Classmate Offenders in Rehabilitation and Treatment Act."

The Campus Classmate Offenders in Rehabilitation and Treatment Act, which can also be referred to as the "Campus CORT Act," directs the Department of Justice to establish a demonstration program to provide grants and training to help our Nation's universities and colleges establish new quasi-judicial systems. These systems aim at countering the serious drug and substance abuse related problems that are taking such a heavy toll on our institutions of higher learning and the students who attend them. The demonstration program, which would be administered by the Department of Justice's Office of Justice Programs, would be based on the valuable lessons and successes we have garnered from our Nation's innovative and expanding drug court system.

Specifically, this demonstration program legislation would authorize the establishment of up to five Campus CORTs each year for Fiscal Years 2003 through 2006. The bill authorizes the Office of Justice Programs to provide \$2,000,000 in Federal funding during each of those years to help get five Campus CORTs well trained, soundly established and up and running. This new program's approach should be similar to how the Office of Justice Programs currently runs the ongoing drug court grant-making program, including providing an Internet-based application process.

There are plenty of good reasons to take the next step and establish a Campus CORTs program based on the drug court model. Since they first appeared in 1989, drug courts have rapidly spread all across the Nation. Rather than simply locking-up nonviolent drug offenders in prison along side violent criminals, drug courts provide the alternative of court-supervised treatment. Instead of simply punishing, drug courts help get people clean.

Drug courts' many successes are underscored both by the bipartisan support they have received in Congress and by the Bush Administration. For example, during a national conference hosted this last April by the National Association of Drug Court Professionals, both Office of National Drug Control Policy Director John Walters, our Nation's "Drug Czar," and Drug Enforcement Agency Director Asa Hutchinson gave speeches in support of drug courts.

According to the latest statistics as reported by the Department of Justice's Office of Justice Programs, there are nearly 700 Drug Courts in operation all across the United States. This includes 483 Adult Drug Courts, 167 Juvenile Drug Courts, and 37 Family Drug Courts. An additional 400-plus new

Drug Courts are in the planning process. The report goes on to state that approximately 220,000 adults and 9,000 juveniles have been enrolled in the drug court system and of those, 73,000 adults and 1,500 juveniles have graduated.

The merits of the drug court system are well documented. Nationwide, the drug courts have helped more than 1,000 to be born drug free, more than 3,500 parents to regain custody of their children, and 4,500 parents to resume making their child-support payments. The retention rate is over 70 percent, with 73 percent of the participants managing to keep their jobs or successfully find new work. These are encouraging successes, and not just for the individuals involved, but for society as a whole.

These are the kind of successes we should be able to see once the drug court model is customized and applied through Campus CORTs as we work together to respond to the alcohol, drug and other substance abuse challenges facing our Nation's colleges and universities.

Our Nation's drug courts use a carrot and stick approach where offenders can either live at home and remain free to work under court supervised treatment or face the very real threat of hard jail time. Similarly, Campus CORTs will give troubled students the chance to get supervised treatment and stay clean or get kicked out of school and watch their futures get squandered away.

Instead of simply booting students with substance abuse problems directly out of school, as is currently happening at many universities and colleges all across the country, I believe we should instead help provide institutions of higher learning with new tools they can use to help students get and stay clean. Of course, just like it is with the existing drug courts, there will be some students who simply do not respond to Campus CORTs. While those students will have to face the fact that they may well be expelled from school, at least we will have been able to give them the opportunity to clean-up their act.

Since the new Campus CORTs would be established at colleges and universities, the legislation calls on the Office of Justice Programs, or OJP, to establish new "quasi-judicial standards and procedures for disciplinary cases" for institutions of higher learning that wish to participate in the new Federal program.

Today, I am pleased to highlight that one of the leading institutions of higher learning in my home State, Colorado State University, CSU, has already broken new ground as the Nation's first university to apply the drug court concept in a campus setting. The "Day IV" program, as it is known at CSU, has racked-up a successful record in helping keep students clean and in school.

Under the pioneering leadership of Cheryl Asmus, the drug court inspired

program helped 26 out of 30 students who would have otherwise been kicked out of school stay there during the last spring semester alone. As I understand it, two of the four were dismissed from school for not meeting the Day IV program's treatment requirements and the other two left school for other reasons.

In any case, a success rate approaching 90 percent is a wonderful accomplishment, both for the university and especially for the 26 students who have managed to pull themselves back from potential disaster.

Our drug court system is making a difference all across our Nation. In fact, a 2002 report issued by Columbia University's prestigious National Center on Addiction and Substance Abuse states that "drug courts provide closer, more comprehensive supervision and much more frequent drug testing and monitoring during the program, than other forms of community supervision." The report underscores that "drug use and criminal behavior are substantially reduced while offenders are participating in drug court" and that "criminal behavior is lower after participation, especially for graduates."

Far too many of our Nation's college students are falling by the wayside as they get sidetracked by crippling drug and alcohol abuse problems. Not only are academic careers being impacted and ended, entire lives are being thrown into limbo.

Our Nation's drug court system is a good example of a viable and productive partnership between the Federal Government, our State governments and local jurisdictions. Their collaboration is making a positive impact all across our country. I want to take this moment to thank the people of the OJP, the experts at the National Association of Drug Court Professionals and the State and local judges, prosecutors, law enforcement officers and other officials who have done so much to establish, build upon and continually improve our Nation's drug court system.

I also want to take a moment to thank Judge Karen Freeman Wilson, Chief Executive Officer of the National Association of Drug Court Professionals, Stuart VanMeveren, District Attorney for Colorado's Eighth Judicial District, and Colorado State University President Albert Yates for their letters of support for the Campus CORT legislation I am introducing today. Their support for this bill is appreciated.

I ask unanimous consent that the three letters of support and the text of the bill be printed in the RECORD.

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

S. 2941

*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 "Campus Classmate Offenders in Rehabilitation and Treatment Act" or the "Campus CORT Act".

**SEC. 2. ESTABLISHMENT OF CAMPUS DRUG COURTS.**

(a) IN GENERAL.—The Attorney General, acting through the Office of Justice Programs, is authorized to make demonstration grants to accredited universities and colleges to establish not to exceed 5 campus classmate offenders in rehabilitation and treatment programs (referred to as "Campus COURTS") each fiscal year modeled after the statewide local drug court programs throughout the United States.

(b) CAMPUS COURTS.—Campus COURTS shall—

(1) be established at accredited colleges or universities;

(2) have jurisdiction over substance abuse related disciplinary cases involving students that may or may not be criminal in nature, including illegal drug use, abuse of prescription drugs, alcohol abuse, and other issues, but no student who is deemed to be a danger to the community may be involved;

(3) pursuant to regulations promulgated by the Attorney General, establish appropriate quasi-judicial standards and procedures for disciplinary cases; and

(4) impose as the ultimate sanction expulsion from school.

(c) CONSULTATION.—The Attorney General shall consult with the National Association of Drug Court Professionals, d.b.a., the National Drug Court Institute, universities and colleges, including the Campus Drug Court program at Colorado State University, and other experts in establishing quasi-judicial standards required by this Act.

(d) ASSISTANCE.—The Attorney General shall make grants to qualified universities and colleges, the National Association of Drug Court Professionals, d.b.a., the National Drug Court Institute, and other associations and experts to assist in establishing campus drug courts and provide training and technical assistance in support of the program.

(e) GRANT MAKING CONSIDERATIONS.—In awarding grants to qualified colleges or universities, the Office of Justice Programs should—

(1) endeavor to include colleges and universities of different sizes across the United States; and

(2) enable colleges and universities to apply for grants through the Internet site of the Office of Justice Programs.

**SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated \$2,000,000 for each of the fiscal years 2003 through 2006 to carry out this Act.

AUGUST 23, 2002.

Senator BEN NIGHTHORSE CAMPBELL,  
*Russell Senate Office Building,*  
*Washington, DC.*

DEAR SENATOR CAMPBELL: As the representative of the National Association of Drug Court Professionals (NADCP) and of the drug court professionals throughout the country I am writing this letter of support for your bill for the "Campus Classmate Offenders in Rehabilitation and Treatment Act" or the "Campus CORT Act." Modeled after the "campus drug court" at Colorado State University, campus drug courts nationwide are the exciting next step in the drug court arena. I truly appreciate your commitment to making them a reality.

All of the drug court professionals across America laud the depth of your knowledge about substance abuse and its concomitant crime and appreciate your steadfast support of stopping the revolving door of drug addiction and crime in our criminal justice system. With the alarming news about drug use and binge drinking on college campuses, the Campus CORT Act will face the campus drug and alcohol use and abuse problem head on,

preventing accidents and crimes at colleges and universities throughout the nation.

Taking the drug court concept to this next level, to college campuses, is the logical way to further the fight against substance abuse and criminal behavior. As you know, Columbia University's prestigious National Center on Addiction and Substance Abuse (CASA) report from 2001 states that drug courts provide closer, more comprehensive supervision and much more frequent drug testing and monitoring during the program, than other forms of community supervision. In addition, it found that drug use and criminal behavior are substantially reduced while offenders are participating in drug court.

Again, thank you for introducing the "Campus CORT Act" and for your continuing support of drug courts. I look forward to continuing to work with you and your staff in the future.

Very truly yours,  
Judge KAREN FREEMAN WILSON (ret.),  
*Chief Executive Officer.*

OFFICE OF THE DISTRICT ATTORNEY,  
EIGHTH JUDICIAL DISTRICT, STATE  
OF COLORADO,  
*Fort Collins, CO, August 28, 2002.*

Hon. BEN NIGHTHORSE CAMPBELL,  
*U.S. Senate,*  
*Fort Collins, CO.*

DEAR SENATOR CAMPBELL: I wholeheartedly support your proposed "Campus CORT Act."

As you know, Colorado State University, through the work of Dr. Cheryl Asmus and others, has developed a Campus Drug Court that is now in full operation. Prior to the implementation of the CSU Campus Drug Court, many bright, promising college students lost their opportunity to obtain their college degree because of being dismissed from school as a result of a drug or alcohol addiction. This new pilot program provides students who have drug or alcohol problems a process in which they can address their usage problem while staying in school. Colorado State University's project has proven very successful. Very few students in the program have failed to abide by the program requirements. Most participants have been able to abstain from usage. This success is due to the very strong impetus for students to "stay clean" by allowing them to continue to have access to grants and loans, as well as remain at the university so long as they abide by drug court requirements.

Federal legislation that creates funding to expand the campus drug court program is an excellent proposal. This program helps promising young people, who have chosen to improve their lives through a college education, succeed when alcohol and drugs may be the one obstacle that stands in their way. They are given the opportunity to stay in school, graduate, and become contributing members of society. That success is insured by addressing a drug or alcohol addiction problem that very well would have a negative affect on their families and their ability to succeed professionally.

The availability of federal funds to assist in starting these programs across the country has the promise of spawning very successful drug and alcohol programs nationwide. The traditional Drug Court concept has been very successful. The Campus CORT Act can provide the resources that will result in the same success opportunity for students at our colleges and universities.

We wish you every success in your efforts to pass this legislation. If there is anything I can do to assist, please do not hesitate to contact me.

Sincerely,  
STUART A. VANMEVEREN,  
*District Attorney.*

COLORADO STATE UNIVERSITY,  
*Fort Collins, CO, September 4, 2002.*

Hon. BEN NIGHTHORSE CAMPBELL,  
*Russell Senate Office Building,*  
*Washington DC.*

DEAR SENATOR CAMPBELL: This letter serves as strong support for the bill you are proposing to introduce to the United States Senate that will authorize the appropriation of funds to establish "drug courts" at other colleges and universities. These drug courts will be modeled after the Drug Courts Program, and the Colorado State University (CSU) campus drug court. I understand that CSU will play a critical role as consultant to the Attorney General of the United States in this effort, and we are committed to working in any capacity in this effort. As the first, and only university with a campus drug court to date, we are in a unique position to provide first-hand experience and advice.

In late 1999, the Family and Youth Institute at Colorado State University set up several meetings with the CSU Office of Judicial Affairs and Colorado's Eighth Judicial District Drug Court. The result of these meetings spawned an effort to apply for support to establish a "campus drug court." In mid-2001, the Family and Youth Institute was awarded two years of support for the drug court from the U.S. Department of Education. Currently, a cross-disciplinary team meets weekly to staff the drug court students. After one semester in operation, all but four (one school dropout, two expelled from program, one positive breathalyzer) of approximately 20 students remain trouble and AOD free. So far, we have three drug court graduates and recorded improvements in the other participants in terms of grades, employment, family situations, attitudes, and behaviors.

As a Carnegie Class I research institution, CSU is poised to lead the field in determining what factors of a drug court influence their success. I am aware of the current debates across the nation of the true impacts of the 1000 plus drug courts. I am confident that by introducing the model into the world of academia, inevitably it will inevitably spur research that will result in research-based evidence to concretely address these debates and concerns.

We have found the model to be easily adaptable to our campus setting and have listed as one of our four goals to assist other campuses in developing their own campus drug courts. We are extremely grateful and appreciative you have decided to assist us in this goal. It is not an accident that Colorado State University, and Colorado, will lead in this effort. You have long championed drug courts and, in particular, the Eighth Judicial District's Juvenile Drug Court, our mentor.

A key strategy of Colorado State University is civic education renewal. A part of this strategy is to focus on initiatives and programs that assist students in developing into people of integrity and strong values. We are also dedicated to the ability to graduate students in four years who are prepared to enter the world as contributing citizens. Using dismissal or expulsion as a consequence for someone with a substance abuse problem is a quick fix for our campus, but not for the individual or the community at large. As a land-grant institution, valuing service to our society, we believe the integration of drug court's goal of using treatment with strong interventions into the disciplinary system, as an alternative to dismissal or expulsion directly supports the mission of Colorado State University.

Sincerely,  
ALBERT C. YATES,  
*President.*

By Mr. CRAPO (for himself, Mr. BAYH, Mr. SPECTER, Mr. MILLER, Mr. MCCAIN, and Mr. BUNNING)

S. 2942. A bill to amend title II of the Social Security Act to eliminate the five-month waiting period in the disability insurance program, and for other purposes; to the Committee on Finance.

Mr. CRAPO. Mr. President, I rise today to introduce important legislation that will correct a serious flaw in the Social Security Disability Insurance program, which currently forces many Americans who are diagnosed with a terminal illness to live out their final days in poverty.

Under current law, any eligible individual applying for SSDI benefits must wait 5 full months before he or she can begin receiving benefits. I appreciate the support of Senator BAYH, Senator SPECTER, Senator MCCAIN, and Senator MILLER for this bill that will eliminate the waiting period for those individuals with terminal illnesses.

Far too often, I have had terminally ill constituents contact me through my State offices with horror stories about their personal experiences. These people are healthy, hard-working members of our society. Suddenly, they are told by their doctor that they have a terminal illness and that it would be best if they stop working and go on disability as soon as possible to maintain their strength. However, because of the waiting period, before they know it, these people are several months behind in their bills. Others, unfortunately, do not even live through the full waiting period.

I am sure that if any of my colleagues were to contact their State offices and speak to their staff that handle these disability cases, they would find that their constituents have faced similar difficulties with this waiting period. Like every other hard-working American, these terminally ill individuals have all paid into the Social Security system throughout their working lives, with the expectation that future benefits would be there to supplement lost income should a disability or serious illness ensue.

I am please that this legislation has the support of the National Association for the Terminally Ill. This organization's primary mission is to assist individuals diagnosed with a terminal illness, whose life expectancy is two years or less. They have told me of the many individuals that have come to them for assistance, faced with no income, while waiting through those 5 months before receiving disability benefits. Frequently, the association is contacted by people who are forced to sell furniture, cars, family heirlooms, and even their homes, just to pay expenses for daily living.

Two years ago, this Congress did the right thing by waiving the 24-month waiting period for Medicare coverage for individuals diagnosed with Lou Gehrig's Disease. The time has now

come for Congress to take the appropriate action to relieve part of what is already an unthinkable burden on all terminally ill individuals.

I invite my colleagues to join us in this effort and I hope the Senate will proceed expeditiously with this important legislation that will provide relief for tens of thousands of working Americans. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2942

*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 "Social Security Act Improvements for the Terminally Ill Act".

**SEC. 2. ELIMINATION OF TITLE II WAITING PERIOD FOR TERMINALLY ILL INDIVIDUALS.**

Section 223(a) of the Social Security Act (42 U.S.C. 423(a)) is amended—

(1) in paragraph (1), by inserting "he meets the requirements of paragraph (3), or" after "but only if"; and

(2) by adding at the end the following new paragraph:

"(3)(A) For purposes of paragraph (1), an individual meets the requirements of this paragraph if—

"(i) the impairment underlying a finding that the individual is under a disability results in his death prior to the end of the applicable period described in subparagraph (B), or

"(ii)(I) in the case where such finding is made before the end of the applicable period, the Commissioner determines that, at the time such finding is made, such impairment is expected to result in the individual's death prior to the end of such period, or

"(II) in the case where such finding is made after the end of the applicable period, the Commissioner determines that, at any time during such period, such impairment was expected to result in the individual's death prior to the end of such period.

"(B) For the purposes of subparagraph (A), the 'applicable period' is the period of the first six consecutive calendar months throughout which such individual is under a disability by reason of such impairment which begins not earlier than the first day of the period described in subsection (c)(2)(B)."

**SEC. 3. EFFECTIVE DATE.**

The amendments made by this Act shall take effect with respect to applications filed after the date of the enactment of this Act.

By Mr. FEINGOLD (for himself, Mr. GRASSLEY, Mr. HARKIN, Mr. LEAHY, and Mr. ENZI):

S. 2943. A bill to amend title 9, United States Code, to provide for greater fairness in the arbitration process relating to livestock and poultry contracts; to the Committee on the Judiciary.

Mr. FEINGOLD. Mr. President, I rise today with my friend from Iowa to introduce legislation to give farmers options in identifying a forum to resolve disputes with agribusinesses.

This legislation is based on our amendment to the Senate-passed Farm Bill that was unfortunately stripped in the conference committee. Our amend-

ment passed by a vote of 64-31, yet it was ultimately taken out due to objections by large agribusiness companies in the backroom negotiations.

While our effort then was not successful, I am hopeful that we will be able to pass this legislation and begin to give farmers a fair shot in the marketplace.

I am deeply concerned that the concentration of power in the hands of a few large agribusiness firms, companies that can raise a billion dollars on Wall Street at the drop of a hat, is forcing farmers and ranchers to be placed at a competitive disadvantage in the marketplace.

These large corporations are using their market power to force independent producers into a position of weakness through unfair contracts and other uses of market leverage.

In some cases, the domestic marketplace has become almost noncompetitive for the family farmer. Farmers have fewer buyers and suppliers than ever before. One indication of this dominance is one-sided contracts that favor agribusinesses at the expense of farmers and ranchers.

It is of paramount importance that we help restore competition in rural America. One way to promote competition is to ensure that farmers have a choice of forums to resolve disputes with agribusinesses.

While alternative methods of dispute resolution such as arbitration can serve a useful purpose in resolving disputes between parties, I am extremely concerned about the increasing trend of stronger parties to a contract forcing weaker parties to waive their legal rights and agree to arbitrate any future disputes that may arise.

It recently came to my attention that large agribusiness companies often present producers with "take it or leave it" contracts, which increasingly include mandatory and binding arbitration clauses. This practice forces farmers to submit their disputes with packers and processors to arbitration.

As a result, farmers are required to waive access to judicial or administrative forums, substantive contract rights, and statutorily provided protections. In short, this practice violates the farmers' fundamental due process rights and runs directly counter to basic principles of fairness.

Arbitration is billed as an inexpensive alternative to civil lawsuits. The opposite, however, is often the case. Filing fees and other expenses in arbitration result in much higher costs for the parties than civil actions. Attorney fees, whether hourly or contingency, are similar regardless of forum.

For example, in a recent Mississippi case, filing fees for a poultry grower to begin an arbitration proceeding were \$11,000. This is far more than the \$150 to \$250 cost of filing in civil court. It makes no sense for a farmer to seek payment for wrongdoing when he or she has lost \$10,000, when it costs

\$11,000 just to get the case before an arbitrator.

The practical result of these mandatory arbitration clauses is that farmers have no forum in which to bring their dispute against the company. Arbitration clauses require farmers to waive their right to a jury trial and bring a dispute only in a forum that may be cost-prohibitive. Farmers, who likely have substantial debts due to low prices and large mortgages on their farms, are often left without any recourse even in a case where the agribusiness has plainly acted illegally.

With the litigation option taken away by contract and the arbitration forum taken away by economics, the grower has no forum in which to bring his or her dispute against the company. The net result of these mandatory arbitration clauses is that the farmer always loses.

If poultry farmers lose their farms as a result of a mis-weighed animal, they should have the right to hold the company accountable. When farmers are hurt because they have received bad feed, we must ensure that they are able to choose the forum through which they can resolve their concerns.

If farmers believe they have been provided diseased animals from an agribusiness, they should at least have a forum in which to voice their concerns.

In short, we must give farmers a fair choice that both parties to an agricultural contract may willingly and knowingly select. This legislation therefore does not prohibit arbitration. It simply ensures that the decision to arbitrate is truly voluntary and that the rights and remedies provided for by our judicial system are not waived under coercion.

I urge my colleagues to join me in this legislation and give farmers options to resolve disputes in the agriculture marketplace.

There being no objection, the bill was ordered printed in the RECORD, as follows:

S. 2943

*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 "Fair Contracts for Growers Act of 2002".

#### SEC. 2. ELECTION OF ARBITRATION.

(a) IN GENERAL.—Chapter 1 of title 9, United States Code, is amended by adding at the end the following:

##### “§ 17. Livestock and poultry contracts

“(a) DEFINITIONS.—In this section:

“(1) LIVESTOCK.—The term ‘livestock’ has the meaning given the term in section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182(a)).

“(2) LIVESTOCK OR POULTRY CONTRACT.—The term ‘livestock or poultry contract’ means any growout contract, marketing agreement, or other arrangement under which a livestock or poultry grower raises and cares for livestock or poultry.

“(3) LIVESTOCK OR POULTRY GROWER.—The term ‘livestock or poultry grower’ means any person engaged in the business of raising and caring for livestock or poultry in accordance with a livestock or poultry contract,

whether the livestock or poultry is owned by the person or by another person.

“(4) POULTRY.—The term ‘poultry’ has the meaning given the term in section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182(a)).

“(b) CONSENT TO ARBITRATION.—If a livestock or poultry contract provides for the use of arbitration to resolve a controversy under the livestock or poultry contract, arbitration may be used to settle the controversy only if, after the controversy arises, both parties consent in writing to use arbitration to settle the controversy.

“(c) EXPLANATION OF BASIS FOR AWARDS.—If arbitration is elected to settle a dispute under a livestock or poultry contract, the arbitrator shall provide to the parties to the contract a written explanation of the factual and legal basis for the award.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 1 of title 9, United States Code, is amended by adding at the end the following:

“17. Livestock and poultry contracts.”.

#### SEC. 3. EFFECTIVE DATE.

The amendments made by section 2 shall apply to a contract entered into, amended, altered, modified, renewed, or extended after the date of enactment of this Act.

By Mr. WYDEN (for himself, Mr. LIEBERMAN, Mr. ALLEN, Ms. LANDRIEU, and Mrs. CLINTON):

S. 2945. To authorize appropriations for nanoscience, nanoengineering, and nanotechnology research, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. WYDEN. Mr. President, today I am introducing the 21st Century Nanotechnology Act. This bill would authorize a coordinated interagency program that will support long-term nanoscale research and development leading to potential breakthroughs in areas such as materials and manufacturing, nanoelectronics, medicine and healthcare, environment, energy, chemicals, biotechnology, agriculture, information technology, and national and homeland security. Building on the National Nanotechnology Initiative, the bill would authorize appropriations for research throughout the government while providing tools for better cross-agency management and coordination.

Nanotechnology is the science and technology of building electronic circuits and devices from single atoms and molecules on a scale of one one-billionth of a meter. It will one day change the way Americans live.

I am convinced that this so-called “small science” is the next big thing” in technology. The world is on the cusp of a nanotechnology revolution that will change our lives on a scale equal to, if not greater than, the computer revolution. The United States could miss that revolution if our nanotechnology work remains uncoordinated and scattered across a half-dozen Federal agencies. That would be tragic on several levels, from scientific to social to economic.

I am determined that the United States will not miss, but will mine the opportunities of nanotechnology. To do this, I want America to marshal its various nanotechnology efforts into

one driving force to remain the world’s leader in this burgeoning field. And I believe Federal support is essential to achieving that goal.

The legislation I am pleased to be introducing today with Senator LIEBERMAN will provide a smart, accelerated, and coordinated approach to nanotechnology research, development, and education. In my view, there are three major steps America must take to ensure the highest success for its nanotechnology efforts.

First, a National Nanotechnology Research Program should be established to coordinate long-term fundamental nanoscience and engineering research. The program’s goals will be to ensure America’s leadership and economic competitiveness in nanotechnology, and to make sure ethical and social concerns are taken into account alongside the development of this discipline.

Second, the Federal Government should support nanoscience through a program of research grants, and also through the establishment of nanotechnology research centers. These centers would serve as key components of a national research infrastructure, bringing together experts from the various disciplines that must intersect for nanoscale projects to succeed. As these research efforts take shape, educational opportunities will be the key to their long-term success. As chairman of the Commerce Committee’s Science, Technology, and Space Subcommittee, I have already laid out a challenge to triple the number of people graduating with math, science and technology degrees. Today, I commit to helping students who would enter the field of nanotechnology. This discipline requires multiple areas of expertise. Students with the drive and the talent to tackle physics, chemistry, and the material sciences simultaneously deserve all the support we can offer.

Third, the government should create connections across its agencies to aid in the coordination of nanotechnology efforts. These could include a national coordination office, and a Presidential Nanotechnology Advisory Committee, modeled on the President’s Information Technology Advisory Committee.

I also believe that at these organizational support structures are put into place, rigorous evaluation must take place to ensure the maximum efficiency of our efforts. The bill would call for an annual review of America’s nanotechnology efforts from the Presidential Advisory Committee, and a periodic review from the National Academy of Sciences. In addition to monitoring our own progress, the U.S. should keep abreast of the world’s nanotechnology efforts through a series of benchmarking studies.

If the Federal Government fails to get behind nanotechnology now with organized, goal-oriented support, this nation runs the risk of falling behind others in the world who recognize the

potential of this discipline. Nanotechnology is already making pants more stain-resistant, making windows self-washing and making car parts stronger with tiny particles of clay. What America risks missing is the next generation of nanotechnology. In the next wave, nanoparticles and nanodevices will become the building blocks of our health care, agriculture, manufacturing, environmental cleanup, and even national security.

America risks missing a revolution in electronics, where a device the size of a sugar cube could hold all of the information in the Library of Congress. Today's silicon-based technologies can only shrink so small. Eventually, nanotechnologies will grow devices from the molecular level up. Small though they may be, their capabilities and their impact will be enormous. Spacecraft could be the size of mere molecules.

America risks missing a revolution in health care. In my home State, Oregon State University researchers are working on the microscale to create lapel-pin-sized biosensors that use the color-changing cells of the Siamese fighting fish to provide instant visual warnings when a biotoxin is present. An antimicrobial dressing for battlefield wounds is already available today, containing silver nanocrystals that prevent infection and reduce inflammation. The health care possibilities for nanotechnology are limitless. Eventually, nanoscale particles will travel through human bodies to detect and cure disease. Chemotherapy could attack individual cancer cells and leave healthy cells intact. Tiny bulldozers could unclog blocked arteries. Human disease will be fought cell by cell, molecule by molecule, and nanotechnology will provide victories over disease that we can't even conceive today.

America risks missing a host of beneficial breakthroughs. American scientists could be the first to create nanomaterials for manufacturing and design that are stronger, lighter, harder, self-repairing, and safest. Nanoscale devices could scrub automobile pollution out of the air as it is produced. Nanoparticles could cover armor to make American soldiers almost invisible to enemies and even tend their wounds. Nanotechnology could grow steel stronger than what's made today, with little or no waste to pollute the environment.

Moreover—and this is key—America risks missing an economic revolution based on nanotechnology. With much of nanotechnology existing in a research milieu, venture capitalists are already investing \$1 billion in American nanotech interests this year alone. It's estimated that nanotechnology will become a trillion-dollar industry over the next ten years. As nanotechnology grows, the ranks of skilled workers needed to discover and apply its capabilities must grow too. In the nanotechnology revolution, areas of high unemployment could become magnets for domestic production, engi-

neering and research for nanotechnology applications—but only if government doesn't miss the boat.

The Federal Government is already making some efforts with regard to nanotechnology. The U.S. does have a National Nanotechnology Initiative. This nation has already committed substantial funds to nanotechnology research and development in the coming years. But here's my bottom line. It is essential to build on this foundation of funding with a framework for sound science over the long term. That is the reason for the legislation I am issuing today. On the framework it provides, of national coordination and strategic planning, scientists will be able to meet the grand challenges of nanotechnology. Over the long term, with Federal support, they will be able to plumb the depths of its capability, and scale the heights of its potential.

In 1944 the visionary President Franklin Delano Roosevelt requested a leading American scientist's opinion on advancing the United States' scientific efforts to benefit the world. Dr. Vannevar Bush offered his reply to President Harry S. Truman the next year, following FDR's death. In his report to the President, Dr. Bush wrote, "The Government should accept new responsibilities for promoting the flow of new scientific knowledge and the development of scientific talent in our youth. These responsibilities are the proper concern of the Government, for they vitally affect our health, our jobs, and our national security. It is in keeping also with basic United States policy that the Government should foster the opening of new frontiers and this is the modern way to do it."

Those principles, so true nearly sixty years ago, are truer still today. With the 21st Century Nanotechnology Research and Development Act, I propose that the government now accept new responsibilities in promoting and developing nanotechnology. I hope that the Senate can act swiftly on this legislation. I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2945

*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 "21st Century Nanotechnology Research and Development Act".

**SEC. 2. FINDINGS.**

The Congress makes the following findings:

(1) The emerging fields of nanoscience and nanoengineering (collectively, "nanotechnology"), in which matter is manipulated at the atomic level (i.e., atom-by-atom or molecule-by-molecule) in order to build materials, machines, and devices with novel properties or functions, are leading to unprecedented scientific and technological opportunities that will benefit society by changing the way many things are designed and made.

(2) Long-term nanoscale research and development leading to potential break-

throughs in areas such as materials and manufacturing, electronics, medicine and healthcare, environment, energy, chemicals, biotechnology, agriculture, information technology, and national security could be as significant as the combined influences of microelectronics, biotechnology, and information technology on the 20th century. Nanotechnology could lead to things such as—

(A) new generations of electronics where the entire collection of the Library of Congress is stored on devices the size of a sugar cube;

(B) manufacturing that requires less material, pollutes less, and is embedded with sophisticated sensors that will internally detect signs of weakness and automatically respond by releasing chemicals that will prevent damage;

(C) prosthetic and medical implants whose surfaces are molecularly designed to interact with the cells of the body;

(D) materials with an unprecedented combination of strength, toughness, and lightness that will enable land, sea, air, and space vehicles to become lighter and more fuel efficient;

(E) selective membranes that can fish out specific toxic or valuable particles from industrial waste or that can inexpensively desalinate sea water; and

(F) tiny robotic spacecraft that will cost less, consume very little power, adapt to unexpected environments, change its capabilities as needed, and be completely autonomous.

(3) Long-term, high-risk research is necessary to create breakthroughs in technology. Such research requires government funding since the benefits are too distant or uncertain for industry alone to support. Current Federal investments in nanotechnology research and development are not grounded in any specifically authorized statutory foundation. As a result, there is a risk that future funding for long-term, innovative research will be tentative and subject to instability which could threaten to hinder future United States technological and economic growth.

(4) The Federal government can play an important role in the development of nanotechnology, as this science is still in its infancy, and it will take many years of sustained investment for this field to achieve maturity.

(5) Many foreign countries, companies and scientists believe that nanotechnology will be the leading technology of the 21st century and are investing heavily into its research. According to a study of international nanotechnology research efforts sponsored by the National Science and Technology Council, the United States is at risk of falling behind its international competitors, including Japan, South Korea, and Europe if it fails to sustain broad based funding in nanotechnology. The United States cannot afford to fall behind our competitors if we want to maintain our economic strength.

(6) Advances in nanotechnology stemming from Federal investments in fundamental research and subsequent private sector development likely will create technologies that support the work and improve the efficiency of the Federal government, and contribute significantly to the efforts of the government's mission agencies.

(7) According to various estimates, including those of the National Science Foundation, the market for nanotech products and services in the United States alone could reach over \$1 trillion later this century.

(8) Nanotechnology will evolve from modern advances in chemical, physical, biological, engineering, medical, and materials research, and will contribute to cross-disciplinary training of the 21st century science and technology workforce.

(9) Mastering nanotechnology will require a unique skill set for scientists and engineers that combine chemistry, physics, material science, and information science. Funding in these critical areas has been flat for many years and as a result fewer young people are electing to go into these areas in graduate schools throughout the United States. This will have to reverse if we hope to develop the next generation of skilled workers with multi-disciplinary perspectives necessary for the development of nanotechnology.

(10) Research on nanotechnology creates unprecedented capabilities to alter ourselves and our environment and will give rise to a host of novel social, ethical, philosophical, and legal issues. To appropriately address these issues will require wide reflection and guidance that are responsive to the realities of the science, as well as additional research to predict, understand, and alleviate anticipated problems.

(11) Nanotechnology will provide structures to enable the revolutionary concept of quantum computing, which uses quantum mechanical properties to do calculation. Quantum computing permits a small number of atoms to potentially store and process enormous amounts of information. Just 300 interacting atoms in a quantum computer could store as much information as a classical electronic computer that uses all the particles in the universe, and today's complex encryption algorithms, which would take today's best super computer 20 billion years, could be cracked in 30 minutes.

(12) The Executive Branch has previously established a National Nanotechnology Initiative to coordinate Federal nanotechnology research and development programs. This initiative has contributed significantly to the development of nanotechnology. Authorizing legislation can serve to establish new technology goals and research directions, improve agency coordination and oversight mechanisms, help ensure optimal returns to investment, and simplify reporting, budgeting, and planning processes for the Executive Branch and the Congress.

(13) The private sector technology innovations that grow from fundamental nanotechnology research are dependent on a haphazard, expensive, and generally inefficient technology transition path. Strategies for accelerating the transition of fundamental knowledge and innovations in commercial products or to support mission agencies should be explored, developed, and when appropriate, executed.

(14) Existing data on the societal, ethical, educational, legal, and workforce implications and issues related to nanotechnology are lacking. To help decision-makers and affected parties better anticipate issues likely to arise with the onset and maturation of nanotechnology, research and studies on these issues must be conducted and disseminated.

### SEC. 3. PURPOSE.

It is the purpose of this Act to authorize a coordinated inter-agency program that will support long-term nanoscale research and development leading to potential breakthroughs in areas such as materials and manufacturing, nanoelectronics, medicine and healthcare, environment, energy, chemicals, biotechnology, agriculture, information technology, and national and homeland security.

### SEC. 4. NATIONAL NANOTECHNOLOGY RESEARCH PROGRAM.

(a) NATIONAL NANOTECHNOLOGY RESEARCH PROGRAM.—The President shall establish a

National Nanotechnology Research Program. Through appropriate agencies, councils, and the National Coordination Office, the program shall—

(1) establish the goals, priorities, grand challenges, and metrics for evaluation for Federal nanotechnology research, development, and other activities;

(2) invest in Federal research and development programs in nanotechnology and related sciences to achieve those goals; and

(3) provide for interagency coordination of Federal nanotechnology research, development, and other activities undertaken pursuant to the program.

(b) GOALS OF THE NATIONAL NANOTECHNOLOGY RESEARCH PROGRAM.—The goals of the program are as follows:

(1) The coordination of long-term fundamental nanoscience and engineering research to build a fundamental understanding of matter enabling control and manipulation at the nanoscale.

(2) The assurance of continued United States global leadership in nanotechnology to meet national goals and to support national economic, health, national security, educational, and scientific interests.

(3) The advancement of United States productivity and industrial competitiveness through stable, consistent, and coordinated investments in long-term scientific and engineering research in nanotechnology.

(4) The development of a network of shared academic facilities and technology centers that will play a critical role in accomplishing the other goals of the program, foster partnerships, and develop and utilize next generation scientific tools.

(5) The development of enabling infrastructural technologies that United States industry can use to commercialize new discoveries and innovations in nanoscience.

(6) The acceleration of the deployment and transition of advanced and experimental nanotechnology and concepts into the private sector.

(7) The establishment of a program designed to provide effective education and training for the next generation of researchers and professionals skilled in the multi-disciplinary perspectives necessary for nanotechnology.

(8) To ensure that philosophical, ethical, and other societal concerns will be considered alongside the development of nanotechnology.

(c) RESEARCH AND DEVELOPMENT AREAS.—Through its participating agencies, the Nanotechnology Research and Development Program shall develop, fund, and manage Federal research programs in the following areas:

(1) LONG-TERM FUNDAMENTAL RESEARCH.—The program shall undertake long-term basic nanoscience and engineering research that focuses on fundamental understanding and synthesis of nanometer-size building blocks with potential for breakthroughs in areas such as materials and manufacturing, nanoelectronics, medicine and healthcare, environment, energy, chemical and pharmaceuticals industries, biotechnology and agriculture, computation and information technology, and national security. Funds made available from the appropriate agencies under this paragraph shall be used—

(A) to provide awards of less than \$1,000,000 each to single investigators and small groups to provide sustained support to individual investigators and small groups conducting fundamental, innovative research; and

(B) to fund fundamental research and the development of university-industry-laboratory and interagency partnerships.

(2) GRAND CHALLENGES.—The program shall support grand challenges that are essential

for the advancement of the field and interdisciplinary research and education teams, including multidisciplinary nanotechnology research centers, that work on major long-term objectives. This funding area will fund, through participating agencies, interdisciplinary research and education teams that aim to achieve major, long-term objectives, such as the following:

(A) Nanomaterials by design which are stronger, lighter, harder, self-repairing, and safer.

(B) Nanoelectronics, optoelectronics, and magnetics.

(C) Healthcare applications.

(D) Nanoscale processes and environment.

(E) Energy and energy conservation.

(F) Microspacecraft.

(G) Bio-nanodevices for detection and mitigation of biotreatments to humans.

(H) Economical, efficient, and safe transportation.

(I) National security.

(J) Other appropriate challenges.

(3) INTERDISCIPLINARY NANOTECHNOLOGY RESEARCH CENTERS.—The appropriate agencies shall fund 10 new centers in the range of \$3,000,000 to \$5,000,000 per year each for 5 years. A grant under this paragraph to a center may be renewed for 1 5-year term on the basis of that center's performance, determined after a review. The program, through its participating agencies, shall encourage research networking among centers and researchers and require access to facilities to both academia and industry. The centers shall assist in reaching other initiative priorities, including fundamental research, grand challenges, education, development and utilization of specific research tools, and promoting partnerships with industry. To the greatest extent possible, agencies participating in the program shall establish geographically diverse centers including at least one center in a State participating in the National Science Foundation's (NSF) Experimental Program, to Stimulate Competitive Research (EPSCoR), established under section 113 of the NSF Authorization Act of 1988 (42 U.S.C. 1862(g)).

(4) RESEARCH INFRASTRUCTURE.—The program, through its participating agencies, shall ensure adequate research infrastructure and equipment for rapid progress on program goals, including the employment of underutilized manufacturing facilities in areas of high unemployment as production engineering and research testbeds for micron-scale technologies. Major research equipment and instrumentation shall be an eligible funding purpose under the program.

(5) SOCIETAL, ETHICAL, EDUCATIONAL, LEGAL, AND WORKFORCE ISSUES RELATED TO NANOTECHNOLOGY.—The Director of the National Science Foundation shall establish a new Center for Ethical, Societal, Educational, Legal, and Workforce Issues Related to Nanotechnology at \$5,000,000 per year to encourage, conduct, coordinate, commission, collect, and disseminate research on the societal, ethical, educational, legal, and workforce issues related to nanotechnology. The Center shall also conduct studies and provide input and assistance to the Director of the National Science Foundation in completing the annual report required under paragraph 7(b)(3) of this Act.

(6) TRANSITION OF TECHNOLOGY.—The program, through its participating agencies, shall ensure cooperation and collaboration with United States industry in all relevant research efforts and develop mechanisms to assure prompt technology transition.

**SEC. 5. PROGRAM COORDINATION AND MANAGEMENT.**

(a) IN GENERAL.—The National Science and Technology Council shall oversee the planning, management, and coordination of the Federal nanotechnology research and development program. The Council, itself or through an appropriate subgroup it designates or establishes, shall—

(1) establish a set of broad applications of nanotechnology research and development, or grand challenges, to be met by the results and activities of the program, based on national needs;

(2) submit to the Congress through the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Science, an annual report, along with the President's annual budget request, describing the implementation of the program under section 4;

(3) provide for interagency coordination of the program, including with the Department of Defense;

(4) coordinate the budget requests of each of the agencies involved in the program with the Office of Management and Budget to ensure that a balanced research portfolio is maintained in order to ensure the appropriate level of research effort;

(5) provide guidance each year to the participating departments and agencies concerning the preparation of appropriations requests for activities related to the program;

(6) consult with academic, industry, State and local government, and other appropriate groups conducting research on and using nanotechnology;

(7) establish an Information Services and Applications Council to promote access to and early application of the technologies, innovations, and expertise derived from nanotechnology research and development program activities to agency missions and systems across the Federal government, and to United States industry;

(8) in cooperation with the Advisory Panel established under subsection (b), develop and apply measurements using appropriate metrics for evaluating program performance and progress toward goals; and

(9) identify research areas which are not being adequately addressed by the agencies' current research programs.

(b) PRESIDENT'S NANOTECHNOLOGY ADVISORY PANEL.—

(1) ESTABLISHMENT.—The President shall establish a National Nanotechnology Advisory Panel.

(2) SELECTION PROCEDURES.—The President shall establish procedures for the selection of individuals not employed by the Federal government who are qualified in the science of nanotechnology and other appropriate fields and may, pursuant to such procedures, select up to 20 individuals, one of whom shall be designated Chairman, to serve on the Advisory Panel. Selection of individuals for the Advisory Panel shall be based solely on established records of distinguished fundamental and applied scientific service, and the panel shall contain a reasonable cross-section of views and expertise, including those regarding the societal, ethical, educational, legal, and workforce issues related to nanotechnology. In selecting individuals to serve on the Advisory Panel, the President shall seek and give due consideration to recommendations from the Congress, industry, the scientific community (including the National Academy of Sciences), scientific professional societies, academia, the defense community, the education community, State and local governments, and other appropriate organizations.

(3) MEETINGS.—The Advisory Panel shall meet no less than twice annually, at such times and places as may be designated by the

Chairman in consultation with the National Nanotechnology Coordination Office established under subsection 5(c) of this Act.

(4) DUTIES.—The Advisory Panel shall advise the President and the National Science and Technology Council, and inform the Congress, on matters relating to the National Nanotechnology Program, including goals, roles, and objectives within the program, its capabilities and research needs, guidance on achieving major objectives, and establishing and measuring performance goals using appropriate metrics. The Advisory Panel shall issue an annual report, containing the information required by subsection (d) of this section, to the President, the Council, the heads of each agency involved in the program, the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Science, on or before September 30 of each year.

(c) NATIONAL NANOTECHNOLOGY COORDINATION OFFICE.—The President shall establish a National Nanotechnology Coordination Office, with full-time staff, to provide day-to-day technical and administrative support to the Council and the Advisory Panel, and to be the point of contact on Federal nanotechnology activities for government organizations, academia, industry, professional societies, and others to exchange technical and programmatic information. The Office shall assure full coordination of research efforts between agencies, scientific disciplines, and United States industry.

(d) PROGRAM PLANS AND REPORTS.—

(1) ANNUAL EVALUATION OF NANOTECHNOLOGY RESEARCH DEVELOPMENT PROGRAM.—The report by the Advisory Panel, required pursuant to subsection (b)(4), shall include—

(A) a review of the program's technical success in achieving the stated goals and grand challenges according to the metrics established by the program and Advisory Panel;

(B) a review of the program's management and coordination;

(C) a review of the funding levels by each agency for the program's activities and their ability to achieve the program's stated goals and grand challenges;

(D) a review of the balance in the program's portfolio and components across agencies and disciplines;

(E) an assessment of the degree of participation in the program by minority serving institutions and institutions located in States participating in NSF's EPSCoR program.

(F) a review of policy issues resulting from advancements in nanotechnology and its effects on the scientific enterprise, commerce, workforce, competitiveness, national security, medicine, and government operations;

(G) recommendations for new program goals and grand challenges;

(H) recommendations for new research areas, partnerships, coordination and management mechanisms, or programs to be established to achieve the program's stated goals and grand challenges;

(I) recommendations for new investments by each participating agency in each program funding area for the 5-year period following the delivery of the report;

(J) reviews and recommendations regarding other issues deemed pertinent or specified by the panel; and

(K) a technology transition study which includes an evaluation of the Federal nanotechnology research and development program's success in transitioning its research, technologies, and concepts into commercial and military products, including—

(i) examples of successful transition of research, technologies, and concepts from the Federal nanotechnology research and devel-

opment program into commercial and military products;

(ii) best practices of universities, government, and industry in promoting efficient and rapid technology transition in the nanotechnology sector;

(iii) barriers to efficient technology transition in the nanotechnology sector, including, but not limited to, standards, pace of technological change, qualification and testing of research products, intellectual property issues, and Federal funding; and

(iv) recommendations for government sponsored activities to promote rapid technology transition in the nanotechnology sector.

(2) OFFICE OF MANAGEMENT AND BUDGET REPORT.—

(A) BUDGET REQUEST REPORT.—Each Federal agency and department participating in the program shall, as part of its annual request for appropriations, submit a report to the Office of Management and Budget which—

(i) identifies each element of its nanotechnology research and development activities that contributes directly to the program or benefits from the program;

(ii) states the portion of its request for appropriations that is allocated to each such element; and

(iii) states the portion of its request for appropriations that is allocated to each program funding area.

(B) OMB REVIEW AND ALLOCATION STATEMENT.—The Office of Management and Budget shall review each report in light of the goals, priorities, grand challenges, and agency and departmental responsibilities set forth in the annual report of the Council under paragraph (3), and shall include in the President's annual budget estimate, a statement delineating the amount and portion of each appropriate agency's or department's annual budget estimate relating to its activities undertaken pursuant to the program.

(3) ANNUAL NSTC REPORT TO CONGRESS ON THE NANOTECHNOLOGY RESEARCH DEVELOPMENT PROGRAM.—The National Science and Technology Council shall submit an annual report to the Congress that—

(A) includes a detailed description of the goals, grand challenges, and program funding areas established by the President for the program;

(B) sets forth the relevant programs and activities, for the fiscal year with respect to which the budget submission applies, of each Federal agency and department, participating in the program, as well as such other agencies and departments as the President or the Director considers appropriate;

(C) describes the levels of Federal funding for the fiscal year during which such report is submitted, and the levels proposed for the fiscal year with respect to which the budget submission applies, for each of the program funding areas of the program;

(D) describes the levels of Federal funding for each agency and department participating in the program and each program funding area for the fiscal year during which such report is submitted, and the levels proposed for the fiscal year with respect to which the budget submission applies, and compare these levels to the most recent recommendations of the Advisory Panel and the external review of the program;

(E) describes coordination and partnership activities with State, local, international, and private sector efforts in nanotechnology research and development, and how they support the goals of the program;

(F) describes mechanisms and efforts used by the program to assist in the transition of innovative concepts and technologies from



Federally funded programs into the commercial sector, and successes in these transition activities;

(G) describes coordination between the military and civilian portions, as well as the life science and non-life science portions, of the program in technology development, supporting the goals of the program, and supporting the mission needs of the departments and agencies involved;

(H) analyzes the progress made toward achieving the goals, priorities, and grand challenges designated for the program according to the metrics established by the program and the Advisory Panel; and

(I) recommends new mechanisms of coordination, program funding areas, partnerships, or activities necessary to achieve the goals, priorities and, grand challenges established for the program.

(4) TRIENNIAL EXTERNAL REVIEW OF NANOTECHNOLOGY RESEARCH AND DEVELOPMENT PROGRAM.—

(A) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Director of the National Science Foundation shall enter into an arrangement with the National Research Council of the National Academy of Sciences to conduct a triennial evaluation of the Federal nanotechnology research and development program, including—

(i) a review of the technical success of the program in achieving the stated goals and grand challenges under the metrics established by the program and the nanotechnology Advisory Panel, and under other appropriate measurements;

(ii) a review of the program's management and coordination across agencies and disciplines;

(iii) a review of the funding levels by each agency for the program's activities and their ability with such funding to achieve the program's stated goals and grand challenges;

(iv) recommendations for new or revised program goals and grand challenges;

(v) recommendations for new research areas, partnerships, coordination and management mechanisms, or programs to be established to achieve the program's stated goals and grand challenges;

(vi) recommendations for investment levels in light of goals by each participating agency in each program funding area for the 5-year period following the delivery of the report;

(vii) recommendations on policy, program, and budget changes with respect to nanotechnology research and development activities;

(viii) recommendations for improved metrics to evaluate the success of the program in accomplishing its stated goals; and

(ix) a review the performance of the Information Services and Applications Council and its efforts to promote access to and early application of the technologies, innovations, and expertise derived from program activities to agency missions and systems across the Federal government and to United States industry.

(B) EVALUATION TO BE TRANSMITTED TO CONGRESS.—The Director of the National Science Foundation shall transmit the results of any evaluation for which it made arrangements under subparagraph (A) to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Science upon receipt. The first such evaluation shall be transmitted no later than 12 months after the date of the enactment of this Act, with subsequent evaluations transmitted to the Committees every 3 years thereafter.

#### SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

(A) NATIONAL SCIENCE FOUNDATION.—

(1) GENERAL AUTHORIZATION.—There are authorized to be appropriated to the Director of the National Science Foundation to carry out the Director's responsibilities under this Act—

(A) \$221,000,000 for fiscal year 2003; and

(B) \$254,150,000 for fiscal year 2004.

(2) SPECIFIC ALLOCATIONS.—

(A) INTERDISCIPLINARY NANOTECHNOLOGY RESEARCH CENTERS.—Of the amounts described in paragraph (1), \$40,000,000 for fiscal year 2003, \$50,000,000 for fiscal year 2004, shall be available for grants of up to \$5,000,000 each for multidisciplinary nanotechnology research centers.

(B) CENTER FOR SOCIETAL, ETHICAL, EDUCATIONAL, LEGAL, AND WORKFORCE ISSUES RELATED TO NANOTECHNOLOGY.—Of the sums authorized for the National Science Foundation each fiscal year, \$5,000,000 shall be used to establish a university-based Center for Societal, Ethical, Educational, Legal, and Workforce Issues Related to Nanotechnology.

(C) NATIONAL NANOTECHNOLOGY COORDINATION OFFICE.—Of the sums authorized for the National Science Foundation each fiscal year, \$5,000,000 shall be used for the activities of the Nanotechnology Coordination Office.

(D) GAP FUNDING THROUGH THE SCIENCE AND TECHNOLOGY POLICY INSTITUTE.—Of the sums authorized for the National Science Foundation each fiscal year, \$5 million shall be for the Science and Technology Policy Institute, in consultation with the Office of Science and Technology Policy, for use in competitive grants to address research areas identified by the council under section 5(a)(9) of this Act. Such grants may be made to government or non-government awardees.

(b) DEPARTMENT OF ENERGY.—There are authorized to be appropriated to the Secretary of Energy to carry out the Secretary's responsibilities under this Act—

(1) \$139,300,000 for fiscal year 2003; and

(2) \$160,195,000 for fiscal year 2004.

(c) NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.—There are authorized to be appropriated to the Administrator of the National Aeronautics and Space Administration to carry out the Administrator's responsibilities under this Act—

(1) \$22,000,000 for fiscal year 2003; and

(2) \$25,300,000 for fiscal year 2004.

(d) NATIONAL INSTITUTES OF HEALTH.—There are authorized to be appropriated to the Director of the National Institutes to carry out the Director's responsibilities under this Act—

(1) \$43,200,000 for fiscal year 2003; and

(2) \$49,680,000 for fiscal year 2004.

(e) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—There are authorized to be appropriated to the Director of the National Institute of Standards and Technology to carry out the Director's responsibilities under this Act—

(1) \$44,000,000 for fiscal year 2003; and

(2) \$50,600,000 for fiscal year 2004;

(f) ENVIRONMENTAL PROTECTION AGENCY.—There are authorized to be appropriated to the Administrator of the Environmental Protection Agency to carry out the Administrator's responsibilities under this Act—

(1) \$5,000,000 for fiscal year 2003; and

(2) \$5,750,000 for fiscal year 2004.

(g) DEPARTMENT OF JUSTICE.—There are authorized to be appropriated to the Director of the National Institute of Justice to carry out the Director's responsibilities under this Act—

(1) \$1,400,000 for fiscal year 2003; and

(2) \$1,610,000 for fiscal year 2004.

#### SEC. 7. ADDITIONAL REPORTS, STUDIES, AND PLANS.

(a) INTERNATIONAL BENCHMARKING STUDIES.—

(1) UNITED STATES STANDING TO BE MONITORED.—In order to maintain world leadership in nanotechnology, the program established under section 4(a) shall monitor the United States' standing in the key research fields that support technological innovation.

(2) BIENNIAL NSTC STUDY OF RELATIVE UNITED STATES POSITION.—Not later than 3 months after the date of enactment of this Act, the President, through the Council, shall enter into an arrangement with the National Research Council of the National Academy of Sciences to conduct a biennial study of the relative position of United States compared to other nations with respect to nanotechnology research and development.

(3) ISSUES TO BE ADDRESSED.—The study required by paragraph (2) shall address, among other issues—

(A) the current and likely future relative position of United States private sector, academic, and government research in nanotechnology relative to other nations;

(B) niche nanotechnology research areas where the United States is trailing other nations;

(C) critical research areas where the United States should be the world leader to best achieve the goals of the Federal nanotechnology research and development program;

(D) key factors influencing relative United States performance in this field; and

(E) institutional, funding, and human-resource factors that are critical to maintaining leadership status in this field.

(4) ACTION PLAN.—Not less than 6 months after receipt of each study, the Council shall develop a plan for addressing the issues raised in the study. The plan shall include—

(A) investment strategies for addressing the issues raised in the report;

(B) strategies for promoting international research cooperation to leverage international niches of excellence identified by the report; and

(C) institutional and human-resource changes to be made to achieve or maintain leadership status in this field.

(5) TRANSMITTAL TO CONGRESS.—The Council shall submit the study required by paragraph (2) and the plan required by paragraph (4) to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Science, not later than 18 months after the date of enactment of this Act and every 2 years thereafter.

(b) SOCIETAL, ETHICAL, EDUCATION, LEGAL, AND WORKFORCE ISSUES RELATED TO NANOTECHNOLOGY.—

(1) STUDIES.—The Director of the National Science Foundation shall encourage, conduct, coordinate, commission, collect, and disseminate studies on the societal, ethical, educational, and workforce implications of nanotechnology through the Center for Societal, Ethical, Educational, and Workforce Issues established under section 4(c)(5). The studies shall identify anticipated issues and problems, as well as provide recommendations for preventing or addressing such issues and problems.

(2) DATA COLLECTION.—The Director of the National Science Foundation shall collect data on the size of the anticipated nanotechnology workforce need by detailed occupation, industry, and firm characteristics, and assess the adequacy of the trained talent pool in the United States to fill such workforce needs.

(3) ANNUAL REPORT.—The Director of the National Science Foundation shall compile the studies required by paragraph (2) and, with the assistance of the Center for Ethical, Societal, Educational, Legal, and Workforce

Issues Related to Nanotechnology established by paragraph 4(c)(5) if this Act, shall complete a report that includes a description of the Center's activities, which shall be submitted to the President, the Council, the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Science not later than 18 months after the date of enactment of this Act.

#### SEC. 8. DEFINITIONS.

In this Act:

(1) **ADVISORY PANEL.**—The term “Advisory Panel” means the President's National Nanotechnology Panel.

(2) **FUNDAMENTAL RESEARCH.**—The term “fundamental research” means research that builds a fundamental understanding and leads to discoveries of the phenomena, processes, and tools necessary to control and manipulate matter at the nanoscale.

(3) **GRAND CHALLENGE.**—The term “grand challenge” means a fundamental problem in science or engineering, with broad economic and scientific impact, whose solution will require the application of nanotechnology.

(4) **INTERDISCIPLINARY NANOTECHNOLOGY RESEARCH CENTER.**—The term “interdisciplinary nanotechnology research center” means a group of 6 or more researchers collaborating across scientific and engineering disciplines on large-scale long-term research projects that will significantly advance the science supporting the development of nanotechnology or the use of nanotechnology in addressing scientific issues of national importance, consistent with the goals set forth in section 4(b).

(5) **NANOTECHNOLOGY.**—The term “nanotechnology” means the ability to work at the molecular level, atom-by-atom, to create large structures with fundamentally new molecular organization.

(6) **PROGRAM.**—The term “program” means the national nanotechnology research program established under section 4.

(7) **RESEARCH INFRASTRUCTURE.**—The term “research infrastructure” means the measurement science, instrumentation, modeling and simulation, and user facilities needed to develop a flexible and enabling infrastructure so that United States industry can rapidly commercialize new discoveries in nanotechnology.

Mr. LIEBERMAN. Mr. President, our Nation has long prided itself on being the world's premier innovator of new ideas. Over the last two and a half centuries, the uniquely American willingness to experiment with novel concepts and to chart bold directions has placed us at the forefront of scientific and technological progress. Our ability to engage in scientific exploration and to marry research findings with the development of practical applications has, in turn, enabled us to set the benchmark on virtually every indicator of human progress, from longer lifespans, to higher standards of living, to unparalleled economic productivity.

However, while past accomplishments may confer a present competitive advantage, it does not guarantee future success. We cannot afford to rest on our laurels in a world that is becoming increasingly characterized by the speed with which scientific paradigms shift and technological revolutions occur. In a global economy in which ideas and technology are the new currency, every new breakthrough represents an opportunity to claim, or, in our case, lose, global leadership.

The emerging field of nanotechnology constitutes such an opportunity. It is not just any opportunity, however, but one whose magnitude and significance locates it on the scale of harnessing electricity, creating antibiotics, building computers, or wiring up the Internet. It is, in short, a new frontier in science and technology that has the potential to transform every aspect of our lives. Nanotechnology, in fact, may have even greater potential to affect the way we live since it has such broad prospective applications in so many different areas, from medicine, to electronics, to energy. Nanotechnology is what scientists and technologists often call an “enabling” technology, a tool that opens the door to new possibilities constrained only by physics and the limits of our imaginations.

Yet, despite the enormous potential that nanotechnology offers, it is not an area in which we have assumed uncontested leadership. From an international perspective, the United States faces the danger of falling behind its Asian and European counterparts in supporting the pace of nanotechnological innovation. Other nations have grasped the fact that the first players to fully capitalize on the promise of nanotechnology have the potential to leap frog in productivity and precipitate a reshuffling in the economic, and perhaps aspects of the military, pecking order. Accordingly, they have undertaken substantial efforts to invest in nanotechnology research, and to accelerate technology transfer and commercialization. While our Nation certainly possesses the raw resources and talent to lead the world in developing this technology, it is also clear that a long-term focus and sustained commitment, as well as new collaborations between government, academia, and industry, will be needed to ensure our place at the head of the nanotechnological universe.

This is why I am so proud today to join my colleague, Senator RON WYDEN of Oregon, in introducing the 21st Century Nanotechnology Research and Development Act. This Act will build on the efforts of the National Nanotechnology Initiative, NNI, which was started under President Clinton and has received continued support under President Bush, to establish a comprehensive, intelligently coordinated program for addressing the full spectrum of challenges confronting a successful national science and technology effort, including those related to funding, coordination, infrastructure development, technology transition, and social issues.

I feel it is appropriate at this point to give credit to President Clinton for having the prescience and initiative of creating the NNI, and to applaud President Bush for expanding support for nanotechnology R&D from \$270 million in FY 2000 to the \$710 million targeted in his budget request for FY 2003. The NNI has been a key driver of nanotech-

nology in this country by bringing coherence and organization to what had previously been a scattered set of research programs within the federal government. It has, in no small part through the efforts of its spokespersons, Dr. Mike Roco and Dr. Jim Murday, achieved a higher profile for nanotechnology both within and outside the government, and gathered national attention to the importance of this field.

The time is now ripe to elevate the U.S. nanotechnology efforts beyond the level of an Executive initiative. Funding for nanotechnology will soon reach \$1 billion a year, and the NNI currently attempts to coordinate programs across a wide range of Federal agencies and departments. This level of funding and the coordination challenges that arise with so many diverse participants strongly recommend having a program based in statute, provided with greater support and coordination mechanisms, afforded a higher profile, and subjected to constructive Congressional oversight and support.

Our bill closely tracks the recommendations of the National Research Council, NRC, which completed a thorough review of the NNI this past June. The NRC report stated how impressed the reviewers were with the leadership and multi-agency involvement of the NNI. Specifically, it commended the Nanoscale Science, Engineering, and Technology, NSET, subcommittee, which is the primary coordinating mechanisms of the NNI, as playing a key role in establishing research priorities, identifying Grand Challenges, and involving the U.S. scientific community in the NNI. To improve the NNI above its current level of success, the NRC made a number of recommendations. These recommendations have largely been incorporated into our bill, including establishing an independent advisory panel; emphasizing long-term goals; striking a balance between long-term and short-term research; supporting the development of research facilities, equipment, and instrumentation; creating special funding to support research that falls in the breach between agency missions and programs; promoting interdisciplinary research and research groups; facilitating technology transition and outreach to industry; conducting studies on the societal implications of nanotechnology, including those related to ethical, educational, legal, and workforce issues; and the development of metrics for measuring progress toward program goals. This legislation will also complement the provision that I authored in this year's Senate defense authorization bill, S. 2514, establishing a nanotechnology research and development program in the Department of Defense. If this provision is supported in conference, we will have matching pieces of legislation that will encompass and coordinate both civilian and defense nanotechnology programs, establishing a truly nationwide effort

that leverages the expertise residing in every corner of our government.

If history teaches us anything, it is that once the wheels of innovation have stopped and stagnation has set in, mediocrity will soon follow. Nowhere in the world are those wheels of innovation spinning more rapidly than in the area of nanotechnology. This legislation provides a strong foundation and comprehensive framework that elicits contributions from all three sectors of our society in pushing nanotechnology research and development to the next level. I look forward to supporting Senator WYDEN in getting this important bill through the Congress, and encourage my colleagues to join us in setting the stage for U.S. economic growth over the next century.

#### SUBMITTED RESOLUTIONS

#### SENATE CONCURRENT RESOLUTION 139—EXPRESSING THE SENSE OF CONGRESS THAT THERE SHOULD BE ESTABLISHED A NATIONAL MINORITY HEALTH AND HEALTH DISPARITIES MONTH, AND FOR OTHER PURPOSES

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

##### S. CON. RES. 139

Whereas in 2000, the Surgeon General announced a goal of eliminating, by 2010, health disparities experienced by racial and ethnic minorities in health access and outcome in 6 areas: infant mortality, cancer screening, cardiovascular disease, diabetes, acquired immunodeficiency syndrome and human immunodeficiency virus infection, and immunizations;

Whereas despite notable progress in the overall health of the Nation there are continuing health disparities in the burden of illness and death experienced by African-Americans, Hispanics, Native Americans, Alaska Natives, Asians, and Pacific Islanders, compared to the population of the United States as a whole;

Whereas minorities are more likely to die from cancer, cardiovascular disease, stroke, chemical dependency, diabetes, infant mortality, violence, and, in recent years, acquired immunodeficiency syndrome than nonminorities suffering from those same illnesses;

Whereas there is a national need for scientists in the fields of biomedical, clinical, behavioral, and health services research to focus on how best to eliminate health disparities between minorities and the population of the United States as a whole;

Whereas the diverse health needs of minorities are more effectively addressed when there are minorities in the health care workforce; and

Whereas behavioral and social sciences research has increased awareness and understanding of factors associated with health care utilization and access, patient attitudes toward health services, and behaviors that affect health and illness, and these factors have the potential to be modified to help close the health disparities gap that effects minority populations: Now, therefore, be it

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

(1) a National Minority Health and Health Disparities Month should be established to amend educational efforts on the health problems currently facing minorities and other populations experiencing health disparities;

(2) the Secretary of Health and Human Services should, as authorized by the Minority Health and Health Disparities Research and Education Act of 2000, present public service announcements on health promotion and disease prevention that target minorities and other populations experiencing health disparities in the United States and educate the public and health care professionals about health disparities;

(3) the President should issue a proclamation recognizing the immediate need to reduce health disparities in the United States and encouraging all health organizations and Americans to conduct appropriate programs and activities to promote healthfulness in minority and other communities experiencing health disparities;

(4) Federal, State, and local governments should work in concert with the private and nonprofit sector to recruit and retain qualified individuals from racial, ethnic, and gender groups that are currently underrepresented in health care professions;

(5) the Agency for Healthcare Research and Quality should continue to collect and report data on health care access and utilization on patients by race, ethnicity, socioeconomic status, and where possible, primary language, as authorized by the Minority Health and Health Disparities Research and Education Act of 2000, to monitor the Nation's progress toward the elimination of health care disparities; and

(6) the information gained from research about factors associated with health care utilization and access, patient attitudes toward health services, and risk and protective behaviors that affect health and illness, should be disseminated to all health care professionals so that they may better communicate with all patients, regardless of race or ethnicity, without bias or prejudice.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4537. Mr. BROWNBACK submitted an amendment intended to be proposed to amendment SA 4472 proposed by Mr. BYRD to the bill H.R. 5093, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table.

SA 4538. Mr. GRAHAM (for himself, Mr. SARBANES, and Mr. BAYH) submitted an amendment intended to be proposed to amendment SA 4472 proposed by Mr. BYRD to the bill H.R. 5093, supra; which was ordered to lie on the table.

SA 4539. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 4472 proposed by Mr. BYRD to the bill H.R. 5093, supra; which was ordered to lie on the table.

SA 4540. Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed to amendment SA 4472 proposed by Mr. BYRD to the bill H.R. 5093, supra; which was ordered to lie on the table.

SA 4541. Mr. CRAIG (for himself, Mr. DOMENICI, and Mr. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill H.R. 5093, supra; which was ordered to lie on the table.

SA 4542. Mr. SANTORUM submitted an amendment intended to be proposed to amendment SA 4472 proposed by Mr. BYRD to the bill H.R. 5093, supra; which was ordered to lie on the table.

SA 4543. Mr. WELLSTONE submitted an amendment intended to be proposed to amendment SA 4472 proposed by Mr. BYRD to the bill H.R. 5093, supra; which was ordered to lie on the table.

SA 4544. Mr. WELLSTONE submitted an amendment intended to be proposed to amendment SA 4472 proposed by Mr. BYRD to the bill H.R. 5093, supra; which was ordered to lie on the table.

SA 4545. Mr. WELLSTONE submitted an amendment intended to be proposed to amendment SA 4472 proposed by Mr. BYRD to the bill H.R. 5093, supra; which was ordered to lie on the table.

SA 4546. Mr. WELLSTONE submitted an amendment intended to be proposed to amendment SA 4472 proposed by Mr. BYRD to the bill H.R. 5093, supra; which was ordered to lie on the table.

SA 4547. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 4472 proposed by Mr. BYRD to the bill H.R. 5093, supra; which was ordered to lie on the table.

SA 4548. Mr. SARBANES submitted an amendment intended to be proposed to amendment SA 4472 proposed by Mr. BYRD to the bill H.R. 5093, supra; which was ordered to lie on the table.

SA 4549. Mr. TORRICELLI submitted an amendment intended to be proposed to amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, to establish the Department of Homeland Security, and for other purposes; which was ordered to lie on the table.

SA 4550. Mrs. HUTCHISON submitted an amendment intended to be proposed to amendment SA 4472 proposed by Mr. BYRD to the bill H.R. 5093, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table.

SA 4551. Mrs. HUTCHISON submitted an amendment intended to be proposed to amendment SA 4532 proposed by Mr. BYRD (for himself and Mr. STEVENS) to the amendment SA 4472 proposed by Mr. BYRD to the bill H.R. 5093, supra; which was ordered to lie on the table.

SA 4552. Mrs. CLINTON (for herself and Mr. SPECTER) submitted an amendment intended to be proposed to amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, to establish the Department of Homeland Security, and for other purposes; which was ordered to lie on the table.

SA 4553. Mr. BAUCUS (for himself and Mr. BURNS) submitted an amendment intended to be proposed to amendment SA 4472 proposed by Mr. BYRD to the bill H.R. 5093, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2003, and for other purposes; which was ordered to lie on the table.

SA 4554. Mr. SARBANES (for himself, Mr. WARNER, Ms. MIKULSKI, and Mr. ALLEN) submitted an amendment intended to be proposed to amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, to establish the Department of Homeland Security, and for other purposes; which was ordered to lie on the table.

SA 4555. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4556. Mr. ALLARD submitted an amendment intended to be proposed to amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4557. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, supra; which was ordered to lie on the table.