724, a bill to amend title XXI of the Social Security Act to provide for coverage of pregnancy-related assistance for targeted low-income pregnant women.

S. 917

At the request of Ms. COLLINS, the names of the Senator from Pennsylvania (Mr. SANTORUM) and the Senator from Illinois (Mr. FITZGERALD) were added as cosponsors of S. 917, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes.

S. 1226

At the request of Mr. CAMPBELL, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1226, a bill to require the display of the POW/MIA flag at the World War II Memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial.

S. 1739

At the request of Mr. CLELAND, the names of the Senator from Maine (Ms. SNOWE) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1739, a bill to authorize grants to improve security on over-the-road buses.

S. 2488

At the request of Mr. BROWNBACK, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 2488, a bill to establish a commission to conduct a comprehensive review of Federal agencies and programs and to recommend the elimination or realignment of duplicative, wasteful, or outdated functions, and for other purposes.

S. 2596

At the request of Mrs. BOXER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2596, a bill to amend the Internal Revenue Code of 1986 to extend the financing of the Superfund.

S. 2750

At the request of Mr. CONRAD, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 2750, a bill to improve the provision of telehealth services under the medicare program, to provide grants for the development of telehealth networks, and for other purposes.

S. 2776

At the request of Mr. BINGAMAN, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 2776, a bill to provide for the protection of archaeological sites in the Galisteo Basin in New Mexico, and for other purposes.

S. 2826

At the request of Mr. REID, his name was added as a cosponsor of S. 2826, a bill to improve the national instant criminal background check system, and for other purposes.

S. 2844

At the request of Mr. ROCKEFELLER, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2844, a bill to amend the Internal Revenue Code of 1986 to provide a tax incentive to individuals teaching in elementary and secondary schools located in rural or high unemployment areas and to individuals who achieve certification from the National Board for Professional Teaching Standards, and for other purposes.

S. 2869

At the request of Mr. KERRY, the names of the Senator from Ohio (Mr. DEWINE), the Senator from Utah (Mr. HATCH) and the Senator from Georgia (Mr. MILLER) 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. 2933

At the request of Mr. BREAUX, the name of the Senator from Nebraska (Mr. NELSON) was withdrawn as a cosponsor of S. 2933, a bill to promote elder justice, and for other purposes.

S. 2933

At the request of Mr. BREAUX, the names of the Senator from Florida (Mr. NELSON) and the Senator from Montana (Mr. BURNS) were added as cosponsors of S. 2933, supra.

S. 2943

At the request of Mr. FEINGOLD, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of 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.

S. 2968

At the request of Mr. SARBANES, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2968, a bill to amend the American Battlefield Protection Act of 1996 to authorize the Secretary of the Interior to establish a battlefield acquisition grant program.

S. 3009

At the request of Mr. WELLSTONE, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 3009, a bill to provide economic security for America's workers.

S. 3012

At the request of Mr. DODD, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 3012, a bill to amend the Internal Revenue Code of 1986 to exclude from income and employment taxes and wage withholding property tax rebates and other benefits provided to volunteer firefighters and emergency medical responders.

S. 3016

At the request of Mr. DASCHLE, the names of the Senator from Oregon (Mr. SMITH), the Senator from South Dakota (Mr. JOHNSON) and the Senator from Georgia (Mr. CLELAND) were added as cosponsors of S. 3016, a bill to amend the Farm Security and Rural Investment act of 2002 to require the Secretary of Agriculture to establish research, extension, and educational programs to implement biobased energy technologies, products, and economic diversification in rural areas of the United States.

S.J. RES. 46

At the request of Mr. LIEBERMAN, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. J. Res. 46, a joint resolution to authorize the use of United States Armed Forces against Iraq.

S. RES. 307

At the request of Mr. TORRICELLI, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. Res. 307, a resolution reaffirming support of the Convention on the Prevention and Punishment of the Crime of Genocide and anticipating the commemoration of the 15th anniversary of the enactment of the Genocide Convention Implementation Act of 1987 (the Proxmire Act) on November 4, 2003.

S. CON. RES. 142

At the request of Mr. SMITH of Oregon, the names of the Senator from Illinois (Mr. FITZGERALD), the Senator from Arkansas (Mr. HUTCHINSON), the Senator from Virginia (Mr. ALLEN) and the Senator from South Carolina (Mr. THURMOND) were added as cosponsors of S. Con. Res. 142, a concurrent resolution expressing support for the goals and ideas of a day of tribute to all firefighters who have died in the line of duty and recognizing the important mission of the Fallen Firefighters Foundation in assisting family members to overcome the loss of their fallen heroes.

S. CON. RES. 147

At the request of Mr. BURNS, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. Con. Res. 147, a concurrent resolution encouraging improved cooperation with Russia on energy development issues.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DASCHLE (for himself and Mr. JOHNSON):

S. 3036. A bill to establish a commission to assess the performance of the civil works functions of the Secretary of the Army; to the Committee on Environment and Public Works.

Mr. DASCHLE. Mr. President, today I am introducing, with my colleagues Senator JOHNSON, legislation to investigate and hopefully change the culture of disregard for environmental values that infects the Corps of Engineers' management of America's great rivers. My own experiences in South Dakota and my discussions with many of my

constituents and others around the Nation have led me to conclude that protecting the future health of our Nation's waterways demands that Congress consider relieving the Corps of its current river management responsibilities.

For the last decade, I have watched as the Corps has steadfastly refused to change its management of the Missouri River to reflect the environmental and economic needs of the 21st century. The agency's refusal to change the management of the river will further jeopardize endangered species, drive river-dependent businesses into bankruptcy, and lead to further erosion of Native American burial and cultural sites along its banks. As a Senator from South Dakota and as a citizen of that State who enjoys hunting and fishing along the Missouri, I share the sense of betrayal that so many upstream residents feel watching the Corps' management slowly degrade this once thriving river.

Last spring, just when sport fish were spawning and the State was facing its worst drought in decades, the Corps began to drain the reservoirs to provide water for navigation downstream. This prompted lawsuits by South Dakota, North Dakota, and Montana to force the Corps to bring common-sense management to the river. Since then, boat ramps have become unusable, while some river-based businesses have lost tens of thousands of dollars.

There is no legitimate reason for further delay in reforming management of the Missouri River. For more than a decade, the Corps has spent millions of dollars revising its operating plan for water flows on the Missouri River, the Master Manual. An overwhelming amount of scientific and technical data all point to the same conclusions: the management of the river should more closely mimic the natural flow regime. Flows should be higher in the spring, and lower in the summer, just as they nature. Yet in June, the Corps indefinitely delayed the release of the new Master Manual due to pressure from the White House.

The mismanagement of the Missouri River is illustrative of a larger problem. For example, a study of proposed upper-Mississippi lock expansion has to be retooled after the Corps whistle blower showed that the study was rigged to provide an economic justification for that billion-dollar project. A broad pattern of disregard by the Corps for environmental priorities throughout the nation's waterways is now evident. In addition, the corps has been shown time and again its unwillingness to work effectively with members of the public, States, tribes, or stakeholders to resolve ongoing challenges.

Indeed, more than ever, the Corps appears mired in the past, incapable of assimilating new scienfic and economic information into its management scheme, and, consequently, failing the people and wildlife that depend on the sound stewardship of Ameria's rivers. The time has come to ask tough questions about the institutional barriers within the Corps, and the influence of special interests, that prevent it from effectively meeting the Nation's river management needs. The time has come to ask whether those responsibilities are better left to others. This ongoing situation presents a compelling case for a thorough, independent review of the agency's operations and management, and for serious reform. Indeed, many of my Senate colleagues have introduced legislation to accomplish certain reforms, and I, along with others have made it clear that we will fight any effort to pass additional authorizations unless they are accompanied by serious, meaningful Corps reform.

Our Nation needs a river management program that is environmentally and economically sound. History does not offer much room for confidence that the Army Corps of Engineers can meet this standard under its current management structure. The management of the Missouri River, the Mississippi River, and other major waterways presents a compelling case for a thorough, independent review of the agency's operations and management, and for serious reform.

I am introducing legislation today to establish an independent Corps of Engineers River Stewardship Investigation and Review Commission. The commission will take a hard and systematic look at the agency's stewardship of our Nation's rivers and make recommendations to Congress on needed reforms. It will examine a number of issues, including Corps compliance with environmental and Indian cultural resource protection laws; the quality and objectivity of the agency's scientific and economic analysis, the Corps' cooperation with Federal agencies, States, and tribes; whether congress needs to amend river planning laws and regulations; and, ultimately, whether the Corps' river management responsibilities should be transferred to a federal civilian agency.

I urge my colleagues to review this legislation.

It is my hope that all those who care about the mission of preserving our Nation's waterways will support this effort to identify and implement whatever reforms are necessary to fulfill that mission. I ask unanimous consent that the text of the legislation be printed in the RECORD.

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

S. 3036

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 ''Corps of Engineers River Stewardship Independent Investigation and Review Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term ''Commission'' means the Corps of Engineers River Stewardship Independent Investigation and Review Commission established under section 3(a).

(2) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) SESSION DAY.—The term ''session day'' means a day on which both Houses of Congress are in session.

SEC. 3. ESTABLISHMENT OF COMMISSION.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the President shall establish a commission to be known as the ''Corps of Engineers River Stewardship Independent Investigation and Review Commission''.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Commission shall be composed of not to exceed 22 members, and shall include—

(A) individuals appointed by the President to represent—

(i) the Department of the Army;

(ii) the Department of the Interior;

(iii) the Department of Justice;

(iv) environmental interests;

(v) hydropower interests;

(vi) flood control interests;

(vii) recreational interests;

(viii) navigation interests;

(ix) the Council on Environmental Quality; and

(x) such other affected interests as are determined by the President to be appropriate;

(B) 6 governors from States representing different regions of the United States, as determined by the President; and

(C) 6 representatives of Indian tribes representing different regions of the United States, as determined by the President.

(2) DATE OF APPOINTMENTS.—The appointment of a member of the Commission shall be made not later than 180 days after the date of enactment of this Act.

(c) TERM; VACANCIES.—

(1) TERM.—A member shall be appointed for the life of the Commission.

(2) VACANCIES.—A vacancy on the Commission—

(A) shall not affect the powers of the Commission; and

(B) shall be filled in the same manner as the original appointment was made.

(d) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold the initial meeting of the Commission.

(e) MEETINGS.—The Commission shall meet at the call of the Chairperson.

(f) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(g) CHAIRPERSON AND VICE CHAIRPERSON.—

(1) IN GENERAL.—The President shall select a Chairperson and Vice Chairperson from among the members of the Commission.

(2) NO CORPS REPRESENTATIVE.—The Chairperson and the Vice Chairperson shall not be representatives of the Department of the Army (including the Corps of Engineers).

SEC. 4. INVESTIGATION OF CORPS OF ENGINEERS.

Not later than 2 years after the date of enactment of this Act, the Commission shall complete an investigation and submit to Congress a report on the management of rivers in the United States by the Corps of Engineers, with emphasis on—

(1) compliance with environmental laws in the design and operation of river management projects, including—

(A) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(C) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(2) compliance with the cultural resource laws that protect Native American graves, traditional cultural properties, and Native American sacred sites in the design and operation of river management projects, including—

(A) the National Historic Preservation Act (16 U.S.C. 470 et seq.);

(B) the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.);

(C) the Native American Graves Protection Act and Repatriation Act (25 U.S.C. 3001 et seq.);

(D) Executive Order 13007 (61 Fed. Reg. 26771; relating to Indian sacred sites);

(E) identification of opportunities for developing tribal cooperative management agreements for erosion control, habitat restoration, cultural resource protection, and enforcement;

(F) review of policy and guidance regarding nondisclosure of sensitive information on the character, nature, and location of traditional cultural properties and sacred sites; and

(G) review of the effectiveness of government-to-government consultation by the Corps of Engineers with Indian tribes and members of Indian tribes in cases in which the river management functions and activities of the Corps affect Indian land and Native American natural and cultural resources;

(3) the quality and objectivity of scientific, environmental, and economic analyses by the Corps of Engineers, including the use of independent reviewers of analyses performed by the Corps;

(4) the extent of coordination and cooperation by the Corps of Engineers with Federal and State agencies (such as the United States Fish and Wildlife Service) and Indian tribes in designing and implementing river management projects;

(5) the extent to which river management studies conducted by the Corps of Engineers fairly and effectively balance the goals of public and private interests, such as wildlife, recreation, navigation, and hydropower interests;

(6) whether river management studies conducted by the Corps of Engineers should be subject to independent review;

(7) whether river planning laws (including regulations) should be amended; and

(8) whether the river management functions of the Corps of Engineers should be transferred from the Department of the Army to a Federal civilian agency.

SEC. 5. POWERS.

(a) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this Act.

(b) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—The Commission may secure directly from a Federal department or agency such information as the Commission considers necessary to carry out this Act.

(2) PROVISION OF INFORMATION.—On request of the Chairperson of the Commission, the head of the department or agency shall provide the information to the Commission.

(c) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or personal property.

SEC. 6. COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—

(1) NON-FEDERAL EMPLOYEES.—A member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission.

(2) FEDERAL EMPLOYEES.—A member of the Commission who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(b) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(c) STAFF.—

(1) IN GENERAL.—The Chairperson of the Commission may, without regard to the civil service laws (including regulations), appoint and terminate an executive director and such other additional personnel as are necessary to enable the Commission to perform the duties of the Commission.

(2) CONFIRMATION OF EXECUTIVE DIRECTOR.—The employment of an executive director shall be subject to confirmation by the Commission.

(3) COMPENSATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(B) MAXIMUM RATE OF PAY.—The rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(d) DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.—

(1) IN GENERAL.—An employee of the Federal Government may be detailed to the Commission without reimbursement.

(2) CIVIL SERVICE STATUS.—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this Act $5,000,000 for each of fiscal years 2003 through 2005, to remain available until expended.

SEC. 8. TERMINATION OF COMMISSION.

The Commission shall terminate on the date on which the Commission submits the report to Congress under section 4(a).

By Mr. JEFFORDS:

S. 3037. A bill to amend the Federal Water Pollution Control Act to improve protection of treatment works from terrorists and other harmful intentional acts, and for other purposes; to the Committee on Environment and Public Works.

Mr. JEFFORDS. Mr. President, I rise today to introduce the Wastewater Treatment Works Security Safety Act. This legislation provides for the safety and security of our Nation's wastewater treatment works by providing needed funds to conduct vulnerability assessments and implement security improvements. In addition, this bill will ensure long-term safety and security by providing funds for researching innovative technologies and enhancing proven vulnerability assessment tools already in use.

Since the terrible events of September 11, we have taken several comprehensive steps to protect our water supplies and infrastructure. Almost a year ago, I spoke on the many initiatives taking place in the Committee on Environment and Public Works and at the Environmental Protection Agency. I am pleased to say that we have made some progress.

EPA worked with State and local governments to expeditiously provide guidance on the protection of drinking water facilities from terrorist attacks. Based on the recommendations of Presidential Decision Directive 63, issued by President Clinton in 1998, the Environmental Protection Agency and its industry partner, the Association of Metropolitan Water Agencies, established a communications system, a water infrastructure Information Sharing and Analysis Center, designed to provide real-time threat assessment data to water utilities throughout the nation.

Earlier this year, Senator SMITH and I worked to include the authorization of $160 million for vulnerability assessments at drinking water facilities as part of the Bioterrorism bill. Despite our advocacy during the conference, we were unable to include a provision in that bill for wastewater facilities due to jurisdictional issues in the House.

While these initial efforts are essential, our task is by no means finished. We cannot forget the vital importance of protecting our Nation's wastewater facilities. Everyday we take for granted the hundreds of thousands of miles of pipes buried under ground and the thousands of wastewater treatment works that keep our water clean and safe. But, like all our Nation's critical infrastructure, the disruption or destruction of these structures could have a devastating impact on public safety and health.

The legislation I am introducing today will take us one step further by authorizing support of ongoing efforts to develop and implement vulnerability assessments and emergency response plans at wastewater facilities.

Using existing tools such as the Sandi Laboratory's vulnerability assessment tool or the Association of Metropolitan Sewerage Association's Vulnerability Self-Assessment Tool, treatment works will be able to securely identify critical areas of need. With the funds provided by this bill, EPA will also ensure that treatment

works remedy areas of concerns. Using the results of the vulnerability assessment, treatment works will develop or revise emergency response plans to minimize damage if an attack were to occur.

This bill authorizes $185 million for fiscal years 2003 through 2007 for grants to conduct the vulnerability assessments and implement basic security enhancements. The bill also recognizes the need to address immediate and urgent security needs with a special $20 million authorization over 2003 and 2004.

In my home State of Vermont, we have only three towns of over 25,000 people. The small water facilities serving these communities have been particularly challenged to meet today's new homeland security challenges. Many times, water managers operate the town's water facilities as a part-time job or even as a free service. We must ensure that they are afforded the same consideration under this act as the medium and large facilities. This bill authorizes $15 million for grants to help small communities conduct vulnerability assessments, develop emergency response plans, and address potential threats to the treatment works. It also instructs the Administrator of the EPA to provide guidance to these communities on how to effectively use these security tools.

To ensure the continued development of wastewater security technologies, the Wastewater Treatment Works Security and Safety Act authorizes $15 million for research for 2003 and 2007. It also provides $500,000 to refine vulnerability self-assessment tools already in existence.

I am proud to say that the Association of Metropolitan Sewerage Agencies has endorsed the Wastewater Treatment Works Security Act. AMSA represents our nation's wastewater treatment works serving large cities. They have been an invaluable partner in the drafting of this bill, and I thank them sincerely for their support. I ask unanimous consent that their letter of support be entered into the RECORD.

I look forward to working with my colleagues on this legislation and other efforts to enhance the security of our Nation's water infrastructure in the weeks, months, and years to come. We truly have something to protect—clean, safe, fresh water is worth our investment.

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

ASSOCIATION OF METROPOLITAN SEWERAGE AGENCIES,
Washington, DC, October 1, 2002.

Hon. JAMES JEFFORDS,
Chairman, Environment and Public Works Committee, U.S. Senate, Senate Hart Office Building, Washington, DC.

DEAR SENATOR JEFFORDS: The Association of Metropolitan Sewerage Agencies (AMSA) thanks you for the timely introduction of the Wastewater Treatment Works Security and Safety Act. This legislation marks a critical step toward ensuring the safe, uninterrupted operation of the nation's vital wastewater infrastructure. AMSA will be working throughout the closing days of the 107th Congress to secure the passage of this important legislation.

Of critical importance to AMSA member utilities is the $200 million this bill provides to assess vulnerabilities and enhance security at the nation's more than 16,000 public wastewater treatment works. AMSA also believes that the bill's $2.5 million to develop and distribute vulnerability assessment software upgrades will play a key role in ongoing security improvements. AMSA, in coordination with EPA, has developed a vulnerability self assessment tool (VSAT™) for wastewater utilities in the wake of the terrorist attacks of September 11, 2001. To this end, the $2.5 million provides much-needed support to continue and improve this important initiative.

The Wastewater Treatment Works Security and Safety Act comes at a pivotal juncture for communities struggling to secure their critical wastewater infrastructure while tackling shrinking municipal budgets. AMSA applauds your commitment to addressing municipal security needs for making your staff accessible throughout the drafting of this important legislation. AMSA looks forward to working with you, your staff and other members of the Senate and House of Representatives to ensure the passage of this legislation before Congress adjourns this year.

Sincerely,

KEN KIRK,
Executive Director.

By Mr. JEFFORDS (for himself and Mr. SMITH of New Hampshire):

S. 3038. A bill to amend the Lacey Act Amendments of 1981 to further the conservation of certain wildlife species; to the Committee on Environment and Public Works.

Mr. JEFFORDS. Mr. President I rise today with Senator SMITH of New Hampshire to introduce the Captive Wildlife Safety Act, a firm commitment to protect public safety and the welfare of wild cats that are increasingly being kept as pets.

Current figures estimate that there are more than 5,000 tigers in captivity in the United States. In fact, there are more tigers in captivity in the United States than there are in native habitats throughout the range in Asia. While some tigers are kept in zoos, most of these animals are kept as pets, living in cages behind someone's house, in a State that does not restrict private ownership of dangerous animals. Tigers are not the only animals sought as exotic pets. Today there are more than 1,000 web sites that specialize in the trade of lions, cougars, and leopards to promote them as domestic pets.

Untrained owners are simply not capable of meeting the needs of these animals. Local veterinarians, animal shelters, and local governments are ill equipped to meet the challenge of providing for their proper care. If they are to be kept in captivity, these animals must be cared for by trained professionals who can meet their behavioral, nutritional, and physical needs.

People who live near these animals are also in real danger. These cats are large and powerful animals, capable of injuring or killing innocent people. There are countless stories of many unfortunate and unnecessary incidents where dangerous exotic cats have endangered public safety. last year in Lexington, TX, a three-year-old boy was killed by his stepfather's pet tiger. In Loxahatchee, FL, this past February, a 58 year-old woman was bitten on the head by a 750 pound Siberian-Bengal Tiger being kept as a pet. Just last month in Quitman, AR, four 600 to 800 pound tigers escaped from a ''private safari.'' Parents living nearby sat in their own front yards with high-powered rifles scared that the wild lions might hurt their children playing the front yard.

The bill I introduce today would amend the Lacey Act Amendments of 1981 and bar the interstate and foreign commerce of carnivorous wild cats, including lions, tigers, leopards, cheetahs, and cougars. The legislation would not ban all private ownership of these prohibited species. It would outlaw the commerce of these animals for use as pets.

This is a balanced approach that preserves the rights of those entities already regulated by the Department of Agriculture under the Animal Welfare Act such as circuses, zoos, and research facilities. This Act specifically targets unregulated and untrained individuals who are maintaining these wild cats as exotic pets.

This bill also preserves the importance of local regulations already in existence. I sincerely hope that grass roots level organizing continues to direct State and local governments to increase the number of States and counties that ban private ownership of exotic cats. Full bans are already in place in 12 States and partial bans have been enacted in 7 States.

No one should be endangered by those who cannot properly keep these animals. Those exotic cats who are in captivity should be able to live humanely and healthfully.

The Captive Wildlife Safety Act represents an emerging consensus on the need for comprehensive federal legislation to regulate what animals can be kept as pets. The United States Department of agriculture states, ''Large wild and exotic cats such as lions, tigers, cougars, and leopards are dangerous animals . . . Because of these animals' potential to kill or severely injure both people and other animals, an untrained person should not keep them as pets. Doing so poses serious risks to family, friends, neighbors, and the general public. Even an animal that can be friendly and lovable can be very dangerous.''

The American Veterinary Medical Association also ''strongly opposes the keeping of wild carnivore species of animals as pets and believes that all commercial traffic of these animals for such purpose should be prohibited.''

The Captive Wildlife Safety Act is supported by the Association of Zoos

and Aquariums, the Humane Society of the United States, the Fund for Animals, and the International Fund for Animal Welfare.

I ask my colleagues to cosponsor this legislation and look forward to working with our partners in the House who have expressed interest in passing this bill into law by the end of this session.

By Mr. WYDEN:

S. 3039. A bill to designate certain conduct by sports agents relating to the signing of contracts with student athletes as unfair and deceptive acts or practices to be regulated by the Federal Trade Commission; to the Committee on Commerce, Science, and Transportation.

Mr. WYDEN. Mr. President, I would like to say a few words about a bill I am introducing today, the Sports Agent Responsibility and Trust Act. The purpose of the bill is simple: to set some basic, uniform nationwide rules to prevent unscrupulous behavior by sports agents who court student athletes.

Too often, unscrupulous sports agents prey upon young student athletes who are inexperienced, naive, or simply don't know all of the collegiate athletic eligibility rules. The agent sees the student athlete as a potentially lucrative future client, and wants to get the biggest headstart possible on other agents. So the agent tries to contact and sign up the student athlete as early as possible, and does whatever it takes to get the inside track.

In some cases, the agent may attempt to lure the student athlete with grand promises. In some cases, the agent may offer flashy gifts. To make the offer more enticing, the agent may withhold crucial information about the impact on the student's eligibility to compete in college sports.

A majority of States have enacted statutes to address unprincipled behavior by sports agents, but the standards vary from State to State and some States don't have any at all. The University of Oregon tells me that this creates a significant loophole. Specifically, Oregon has a State law, but it doesn't apply when a University of Oregon athlete goes home to another State for the summer and is contacted by an agent there. Every time that athlete crosses into another State, a different set of rules apply. And if one State's laws on the subject are particularly weak, that is where shady sports agents will try to contact their targets.

That is why there ought to be a single, nationwide standard. The bill I am introducing today would establish a uniform baseline, enforceable by the Federal Trade Commission, that would supplement but not replace existing State laws. Specifically, the bill would make it an unfair and deceptive trade practice for a sports agent to entice a student athlete with false or misleading information or promises or with gifts to the student athlete or the athlete's friends or family. It would require a sports agent to provide the student athlete with a clear, standardized warning, in writing, that signing an agency contract could jeopardize the athlete's eligibility to participate in college sports. It would make it unlawful to pre-date or post-date agency contracts, and require both the agent and student athlete to promptly inform the athlete's university if they do enter into a contract.

Representative BART GORDON of Tennessee has spearheaded this legislation in the House, where the House Commerce Committee has held hearings and, most recently, unanimously approved the bill on September 25. I applaud Congressman GORDON for his leadership on this issue, and I urge my Senate colleagues to join me in addressing this matter in the Senate.

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. 3039

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 ''Sports Agent Responsibility and Trust Act''.

SEC. 2. DEFINITIONS.

As used in this Act, the following definitions apply:

(1) AGENCY CONTRACT.—The term ''agency contract'' means an oral or written agreement in which a student athlete authorizes a person to negotiate or solicit on behalf of the student athlete a professional sports contract or an endorsement contract.

(2) ATHLETE AGENT.—The term ''athlete agent'' means an individual who enters into an agency contract with a student athlete, or directly or indirectly recruits or solicits a student athlete to enter into an agency contract, and does not include a spouse, parent, sibling, grandparent, or guardian of such student athlete, or an individual acting solely on behalf of a professional sports team or professional sports organization.

(3) ATHLETIC DIRECTOR.—The term ''athletic director'' means an individual responsible for administering the athletic program of an educational institution or, in the case that such program is administered separately, the athletic program for male students or the athletic program for female students, as appropriate.

(4) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(5) ENDORSEMENT CONTRACT.—The term ''endorsement contract'' means an agreement under which a student athlete is employed or receives consideration for the use by the other party of that individual's person, name, image, or likeness in the promotion of any product, service, or event.

(6) INTERCOLLEGIATE SPORT.—The term ''intercollegiate sport'' means a sport played at the collegiate level for which eligibility requirements for participation by a student athlete are established by a national association for the promotion or regulation of college athletics.

(7) PROFESSIONAL SPORTS CONTRACT.—The term ''professional sports contract'' means an agreement under which an individual is employed, or agrees to render services, as a player on a professional sports team, with a professional sports organization, or as a professional athlete.

(8) STATE.—The term ''State'' includes a State of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(9) STUDENT ATHLETE.—The term ''student athlete'' means an individual who engages in, is eligible to engage in, or may be eligible in the future to engage in, any intercollegiate sport. An individual who is permanently ineligible to participate in a particular intercollegiate sport is not a student athlete for purposes of that sport.

SEC. 3. REGULATION OF UNFAIR AND DECEPTIVE ACTS AND PRACTICES IN CONNECTION WITH THE CONTACT BETWEEN AN ATHLETE AGENT AND A STUDENT ATHLETE.

(a) CONDUCT PROHIBITED.—It is unlawful for an athlete agent to—

(1) directly or indirectly recruit or solicit a student athlete to enter into an agency contract, by—

(A) giving any false or misleading information or making a false promise or representation; or

(B) providing anything of value to a student athlete or anyone associated with the student athlete before the student athlete enters into an agency contract;

(2) enter into an agency contract with a student athlete without providing the student athlete with the disclosure document described in subsection (b); or

(3) predate or postdate an agency contract.

(b) REQUIRED DISCLOSURE BY ATHLETE AGENTS TO STUDENT ATHLETES.—

(1) IN GENERAL.—In conjunction with the entering into of an agency contract, an athlete agent shall provide to the student athlete, or, if the student athlete is under the age of 18 to such student athlete's parent or legal guardian, a disclosure document that meets the requirements of this subsection. Such disclosure document is separate from and in addition to any disclosure which may be required under State law.

(2) SIGNATURE OF STUDENT ATHLETE.—The disclosure document must be signed by the student athlete, or, if the student athlete is under the age of 18 by such student athlete's parent or legal guardian, prior to entering into the agency contract.

(3) REQUIRED LANGUAGE.—The disclosure document must contain, in close proximity to the signature of the student athlete, or, if the student athlete is under the age of 18, the signature of such student athlete's parent or legal guardian, a conspicuous notice in boldface type stating: ''**Warning to Student Athlete: If you agree orally or in writing to be represented by an agent now or in the future you may lose your eligibility to compete as a student athlete in your sport. Within 72 hours after entering into this contract or before the next athletic event in which you are eligible to participate, whichever occurs first, both you and the agent by whom you are agreeing to be represented must notify the athletic director of the educational institution at which you are enrolled, or other individual responsible for athletic programs at such educational institution, that you have entered into an agency contract.**''.

SEC. 4. ENFORCEMENT.

(a) UNFAIR OR DECEPTIVE ACT OR PRACTICE.—A violation of this Act shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(b) ACTIONS BY THE COMMISSION.—The Commission shall enforce this Act in the same manner, by the same means, and with the

same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this Act.

SEC. 5. ACTIONS BY STATES.

(a) IN GENERAL.—

(1) CIVIL ACTIONS.—In any case in which the attorney general of a State has reason to believe that an interest of the residents of that State has been or is threatened or adversely affected by the engagement of any athlete agent in a practice that violates section 3 of this Act, the State may bring a civil action on behalf of the residents of the State in a district court of the United States of appropriate jurisdiction to—

(A) enjoin that practice;

(B) enforce compliance with this Act;

(C) obtain damage, restitution, or other compensation on behalf of residents of the State; or

(D) obtain such other relief as the court may consider to be appropriate.

(2) NOTICE.—

(A) IN GENERAL.—Before filing an action under paragraph (1), the attorney general of the State involved shall provide to the Commission—

(i) written notice of that action; and

(ii) a copy of the complaint for that action.

(B) EXEMPTION.—Subparagraph (A) shall not apply with respect to the filing of an action by an attorney general of a State under this subsection, if the attorney general determines that it is not feasible to provide the notice described in that subparagraph before filing of the action. In such case, the attorney general of a State shall provide notice and a copy of the complaint to the Commission at the same time as the attorney general files the action.

(b) INTERVENTION.—

(1) IN GENERAL.—On receiving notice under subsection (a)(2), the Commission shall have the right to intervene in the action that is the subject of the notice.

(2) EFFECT OF INTERVENTION.—If the Commission intervenes in an action under subsection (a), it shall have the right—

(A) to be heard with respect to any matter that arises in that action; and

(B) to file a petition for appeal.

(c) CONSTRUCTION.—For purposes of bringing any civil action under subsection (a), nothing in this title shall be construed to prevent an attorney general of a State from exercising the powers conferred the attorney general by the laws of that State to—

(1) conduct investigations;

(2) administer oaths or affirmations; or

(3) compel the attendance of witnesses or the production of documentary and other evidence.

(d) ACTIONS BY THE COMMISSION.—In any case in which an action is instituted by or on behalf of the Commission for a violation of section 3, no State may, during the pendency of that action, institute an action under subsection (a) against any defendant named in the complaint in that action—

(e) VENUE.—Any action brought under subsection (a) may be brought in the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code.

(f) SERVICE OF PROCESS.—In an action brought under subsection (a), process may be served in any district in which the defendant—

(1) is an inhabitant; or

(2) may be found.

SEC. 6. PROTECTION OF EDUCATIONAL INSTITUTION.

(a) NOTICE REQUIRED.—Within 72 hours after entering into an agency contract or before the next athletic event in which the student athlete may participate, whichever occurs first, the athlete agent and the student athlete shall each inform the athletic director of the educational institution at which the student athlete is enrolled, or other individual responsible for athletic programs at such education institution, that the student athlete had entered into an agency contract, and the athlete agency shall provide the athletic director with notice in writing of such a contract.

(b) CIVIL REMEDY.—

(1) IN GENERAL.—An educational institution has a right of action against an athlete agent for damages caused by a violation of this Act.

(2) DAMAGES.—Damages of an educational institution may include losses and expenses incurred because, as a result of the conduct of the athlete agent, the educational institution was injured by a violation of this Act or was penalized, disqualified, or suspended from participation in athletics by a national association for the promotion and regulation of athletics, by an athletic conference, or by reasonable self-imposed disciplinary action taken to mitigate actions likely to be imposed by such an association or conference.

(3) COSTS AND ATTORNEYS FEES.—In an action taken under this section, the court may award to the prevailing party costs and reasonable attorneys fees.

(4) EFFECT ON OTHERS RIGHTS, REMEDIES AND DEFENSES.—This section does not restrict the rights, remedies, or defenses of any person under law or equity.

SEC. 7. SENSE OF CONGRESS.

It is the sense of Congress that States should enact the Uniform Athlete Agents Act of 2000 drafted by the National Conference of Commissioners on Uniform State Laws, to protect student athletes and the integrity of amateur sports from unscrupulous sports agents. In particular, it is the sense of the Congress that States should enact the provisions relating to the registration of sports agents, the required form of contract, the right of the student athletic to cancel an agency contract, the disclosure requirements relating to record maintenance, reporting, renewal, notice, warning, and security, and the provisions for reciprocity among the States.

By Mr. HATCH:

S. 3041. A bill to require the Secretary of Health and Human Services to conduct a study and submit a report to Congress on new technology payments under the Medicare prospective payment system for hospital outpatient department services; to the Committee on Finance.

Mr. HATCH. Mr. President, since Utah is the home of many medical device and pharmaceutical companies, I have taken a special interest in legislation affecting the development of cutting-edge technologies and the ability of patients to have access to these innovative products. Three years ago, I authored legislation to ensure that Medicare patients have prompt and appropriate access to the abundant benefits of medical breakthrough products. Prior to the enactment of that law, these innovative technologies were not being properly reimbursed by the Medicare program or, in some cases, were not even being reimbursed by Medicare at all. As a result, patient care suffered.

And, while the 1999 law was a giant step in the right direction, many problems continue to exist regarding the methodology that Medicare has used in developing its hospital outpatient reimbursement payments for these new devices and medicines.

I have been working throughout the year with all parties who have a stake in improving the hospital outpatient prospective payment system methodology for new medical devices, drugs, biologicals, and other technologies. I have listened to the arguments from both the Centers for Medicare and Medicaid Services, CMS, and the industry and recognize that there are problems with this methodology from all perspectives.

And while, in my opinion, a legislative solution would be ideal, so far, we have been unable to draft legislation that would be acceptable to both CMS and industry representatives. Therefore, I now believe that authorizing a comprehensive study through the Department of Health and Human Services is the appropriate next step toward defining the flaws within the current system and developing consensus on how to address them. For this reason, I now advocate that CMS undertake such a study, and also provide recommendations to Congress on how to improve Medicare reimbursement for these products.

This matter is a serious one which needs to be reviewed and analyzed by HHS so that a more equitable reimbursement system may be created. We all agree that Medicare beneficiaries deserve access to most innovative medical technologies. In my opinion, this HHS study will help us accomplish two very important goals, fair and equitable Medicare reimbursement for innovative technology and therapies and, most important, beneficiary access to these cutting-edge products.

By Mr. HATCH:

S. 3043. A bill to provide for an extension of the social health maintenance organization (SHMO) demonstration project; to the Committee on Finance.

Mr. HATCH. Mr. President, the Social Health Maintenance Organization Demonstration Project is due to expire in the next year. I have been a strong supporter of extending the SHMO demonstration project, because these plans help keep seniors independent and out of nursing homes. SHMOs provide beneficiaries with expanded Medicare benefits, including prescription drugs, care coordination and community-based services. While many of us are working toward making this a permanent program, it has now become clear that we will not be able to accomplish this goal this year because of budget constraints. Therefore, I offer as the next best solution extending the SHMO demonstration project for five more years. This way, SHMOs will continue to operate, and, those beneficiaries who receive their Medicare coverage through SHMOs will continue to receive important services and benefits.

By Mr. DURBIN (for himself and Mr. VOINOVICH):

S. 3044. A bill to authorize the Court Services and Offender Supervision Agency of the District of Columbia to provide for the interstate supervision of offenders on parole, probation, and supervised release; to the Committee on Governmental Affairs.

Mr. DURBIN. Mr. President, I rise today, joined by my colleague from Ohio, Senator GEORGE VOINOVICH, to introduce the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002, to enhance the authority of the Court Services and Offender Supervision Agency for the District of Columbia.

The Court Services and Offender Supervision Agency, CSOSA, was established by Congress as part of the District of Columbia Revitalization Act of 1997. CSOSA combines under one helm the previously disparate local functions of pretrial services, parole, adult probation, and post-conviction offender supervision. Following three years of operation as a trusteeship, CSOSA was certified as an independent Federal agency within the executive branch on August 4, 2000.

CSOSA, with 950 employees, an annual budget of $132 million, and responsibility for monitoring 21,000 pretrial release defendants annually, 8,000 at any one time, and 15,338 post-conviction offenders on probation or parole, is directed by Paul A. Quander, Jr., who was confirmed by the Senate on July 25, 2002.

The legislation we introduce today aims to clarify CSOSA's authority to provide for supervision of offenders from other jurisdictions who chose to live in the District of Columbia and to arrange with other States for supervision of District of Columbia probationers who seek residence in other jurisdictions, including authority to enter into a new Interstate Compact.

Among the functions CSOSA absorbed after it was established were the supervision of probationers and parolees from other jurisdictions once their transfer to the District of Columbia was approved. Although not explicitly stated in the law, CSOSA also performs the related function of arranging for the supervision of District of Columbia Code offenders on probation and parole who seek to move from the District of Columbia to reside in other States. Our legislation would add that specific duty to CSOSA's statutory responsibilities.

The movement of adult parolees and probationers across State lines is currently controlled by an interstate compact dating back to 1937, which has all 50 States and territories as signatories. A new agreement, the Interstate Compact for Adult Offender Supervision, has been drafted to improve accountability, coordination, and enforcement mechanisms among the participating states. As of June 19, 35 States had signed on to the new compact. The District has not done so, primarily because the City itself no longer performs the functions since Congress created CSOSA to do so.

Our legislation would provide CSOSA with clear authority to enter into this new compact or any other agreements for interstate supervision with any States which may not become signatories to the new compact. Because a new Compact Commission is now being formed and scheduled to meet in November to begin developing the procedural rules for the new Compact, our legislation will enable CSOSA to actively participate in that process.

For this reason, we urge our colleagues to support this bill and vote for enactment this year. 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. 3044

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 ''Court Services and Offender Supervision Agency Interstate Supervision Act of 2002''.

SEC. 2. INTERSTATE SUPERVISION.

Section 11233(b)(2) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (sec. 24–133(b)(2), D.C. Official Code) is amended—

(1) by amending subparagraph (G) to read as follows:

''(G) arrange for the supervision of District of Columbia offenders on parole, probation, and supervised release who seek to reside in jurisdictions outside the District of Columbia;'';

(2) by striking the period at the end of subparagraph (H) and inserting a semicolon; and

(3) by adding at the end the following new subparagraphs:

''(I) arrange for the supervision of offenders on parole, probation, and supervised release from jurisdictions outside the District of Columbia who seek to reside in the District of Columbia; and

''(J) have the authority to enter into agreements, including the Interstate Compact for Adult Offender Supervision, with any State or group of States in accordance with the Agency's responsibilities under subparagraphs (G) and (I).''.

Mr. VOINOVICH. Mr. President, I rise today with my colleague from Illinois, Senator RICHARD DURBIN, as a cosponsor of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002. I thank my colleague from Illinois for his initiative in advancing this legislation.

As my colleague noted, Congress created the Court Services and Offender Supervision Agency, CSOSA, as part of the 1997 National Capital Revitalization and Self-Government Improvement Act to absorb the responsibilities of three local D.C. agencies. In accordance with that law the Federal Government assumed responsibility for many of the city's judicial functions, including all pre-trial services and the post-conviction supervision of parolees and probationers.

With the support of the District and CSOSA, our bipartisan legislation seeks to clarify that CSOSA is the entity responsible for all offenders, whether on parole, probation, or supervised release, who reside in the District of Columbia or those convicted in District Court and choose to relocate outside of the District of Columbia.

When CSOSA was established, it was expressly charged with the responsibility to arrange for the supervision of District of Columbia paroled offenders who wish to move outside the boundaries of Washington, D.C. Today, however, a growing number of offenders are placed on probation or supervised release, not parole. Our legislation clarifies that CSOSA is the agency responsible for arranging for their supervision.

The original legislation also did not address directly the issue of supervision of offenders who relocate to the District of Columbia. Since CSOSA absorbed the local agency that previously held this responsibility, it has been acting in that capacity. Again, our legislation clarifies that CSOSA is the entity with this responsibility.

Finally, our legislation clearly grants CSOSA the authority to enter into agreements with other states and territories to establish guidelines for offender relocation. An interstate compact, signed by all the states and territories, has established guidelines for the movement of adult offenders. The compact was created originally in 1937 and the states are in the process of revising it to enhance accountability for all offenders on parole, probation, or supervised release. More than half of the states already have signed this revised Interstate Compact for Adult Offender Supervision. The District of Columbia has not signed it, however, primarily because they do not have responsibility for offenders. Our legislation expressly grants CSOSA the authority to do so in their capacity of providing offender supervision.

This legislation clarifies CSOSA's mission, a mission critical to the public safety of our nation's capital. I urge my colleagues to support this bill.

By Mr. CRAIG:

S. 3046. A bill to provide for the conveyance of Federal land in Sandpoint, Idaho, and for other purposes; to the Committee on Energy Natural Resources.

Mr. CRAIG. Mr. President, I rise today to introduce the ''Sandpoint Land and Facilities Act of 2002.'' This bill is a unique opportunity to meet the facility needs of the Forest Service in Sandpoint, ID and to provide facilities for the local county government. This bill will transfer ownership of the local General Service Administration building currently housing the Forest Service to that agency. The bill also provides authority for the Forest Service to work with Bonner County, Idaho to exchange the existing building to Bonner County in exchange for a new and more functional building to the Forest Service. This transfer of ownership will not only provide the opportunity for the local Forest Service office to obtain a facility that best meets

their needs but also will meet the facility needs of Bonner County.

The transfer of this facility will allow the Forest Service to improve service to the public, improve public and employee safety, make the Idaho Panhandle National Forest more financially competitive, and allow increased spending on resource programs that contribute to healthier ecosystems. In turn, Bonner County will benefit by providing to them a building that consolidates county offices so that better services can be provided to the local public, including ADA compliant access to the county courtrooms.

Additionally, the GSA will dispose of a building that is only partially occupied and is remotely located from other GSA facilities.

This is a win-win situation for the Forest Service, Bonner County, GSA, and the taxpayers and an outstanding example of the federal government at the local level working with the county government to create common sense solutions that result in more efficient operations and better service to the public.

By Mr. CRAIG:

S. 3047. A bill to authorize the Secretary of Agriculture to sell or exchange all or part of certain parcels of National Forest System land in the State of Idaho and use the proceeds derived from the sale or exchange for National Forest System purposes; to the Committee on Energy Natural Resources.

Mr. CRAIG. Mr. President, I rise today to introduce the Idaho Panhandle National Forest Improvement Act of 2002. This bill is an opportunity to provide lands for local benefits and to meet the facility needs of the Forest Service in the Silver Valley of Idaho. This bill will offer for sale or exchange administrative parcels of land in the Idaho Panhandle National Forest that the Forest Service has identified as no longer in the interest of public ownership and that disposing of them will serve the public better. The proceeds from these sales will be used to improve or replace the Forest Service's Ranger Station in Idaho's Silver Valley.

The Forest Service administrative parcels identified for disposal include the land permitted by the Granite/Reeder Sewer District on Priest Lake, Shoshone Camp in Shoshone County, and the North-South Ski Bowl, south of St. Maries.

The bill also directs the Forest Service to improve or construct a new ranger station in the Silver Valley. The current ranger station is in dire need of repair or replacement, and this will ensure my commitment to a continued and increased presence of the Forest Service in the Silver Valley.

This is a win-win situation for the taxpayers, the Forest Service, the residents of the Silver Valley, and the permittees on the parcels of land to be disposed of.

By Mr. FRIST (for himself, Mr. KENNEDY, Mr. ENZI, Mr. JOHNSON, Mrs. MURRAY, Mrs. CLINTON, and Mr. ROBERTS).

S. 3048. A bill to amend the Public Health Service Act to add requirements regarding trauma care, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. FRIST. Mr. President, each year, nearly 1 out of 4 Americans sustain an injury requiring medical attention. In 1995, injuries were responsible for 148,000 deaths, 2.6 million hospitalizations, and over 36 million emergency room visits.

The direct and indirect cost of injury is estimated to be about $260 billion a year, and the death rate from unintentional injury is more than 50 percent higher in rural areas than in urban areas. It is essential that every American have access to a trauma system that provides definitive care as quickly as possible.

In recent years, Congress has worked to address this issue through the Trauma Care Systems Planning and Development Act, which authorizes Federal grants to States for the purpose of planning, implementing, and developing statewide trauma care systems. However, this important program expires this year. Therefore, I am introducing bipartisan legislation today, along with Senators KENNEDY and ENZI to reauthorize this important program.

Among Americans younger than age 44, trauma is the killer. While injury prevention programs have greatly reduced death and disability, severe injuries will continue to occur. Given the events of September 11, 2001 and our Nation's renewed focus on enhancing disaster preparedness, it is critical that the Federal Government increase its commitment to strengthening programs governing trauma care system planning and development.

Despite our past investments, one-half of the States in the country are still without a statewide trauma care system. Clearly we can do better. We must respond to the goals put forth by the Institute of Medicine in 1999, that Congress ''support a greater national commitment to, and support of, trauma care systems at the Federal, State, and local levels.''

Today's bill, the ''Trauma Care Systems Planning and Development Act of 2002'' reauthorizes this program and includes several key improvements: first, it improves the collection and analysis of trauma patient data; second, the bill responds to State budget difficulties by decreasing the requirement for State matching funds to the Federal grants; third, the legislation provides a self-evaluation mechanism to assist States in assessing and improving their trauma care systems; fourth, it authorizes an Institute of Medicine study on the state of trauma care and trauma research; and finally, it doubles the funding available for this program to allow additional States to participate.

I appreciate the assistance of Senators KENNEDY and ENZI on this important legislation, and look forward to working to see this bill passed this year.

Mr. KENNEDY. Mr. President, it is a pleasure to join Senator FRIST, Senator JOHNSON, and Senator MURRAY in introducing the Trauma Care Systems Planning and Development Act. Our goal in this bipartisan legislation is to enable all States to develop effective trauma care systems.

Trauma is the number one killer of Americans under the age of 44. Traumatic injury robs our Nation's youth, devastates families, and costs the Nation more than $260 billion every year. In 1995 alone, injuries were responsible for 148,000 deaths, 2.6 million hospitalizations, and over 26 million emergency room visits.

Despite trauma's toll, we have done little in recent years to prevent trauma or improve the chance of recovery following traumatic injury. Part of the problem is the misunderstanding that trauma is an accident, an unfortunate, but sometimes unavoidable chance event. But the facts reveal that this is not the case.

Trauma is very similar to a disease. It has definable causes with established methods of treatment and prevention. Frequent forms of trauma include motor vehicle accidents, firearm accidents, and natural or man-made disasters. Proven preventative measures could save up to 25,000 lives every year. Putting effective trauma care systems in place would provide victims with the best chance of recovery, by delivering quality care as quickly as possible.

A trauma system is an organized, coordinated effort to provide the full range of care to all injured patients. Intervention begins in the field, at the site of injury, and proceeds along the continuum of care from prehospital to hospital to rehabilitative services. An effective system ensures that resources, supporting equipment, and personnel are ready and trained to go into action.

The skills and knowledge of health care experts alone are not enough. Optimal care is the result of advance planning, preparation, and coordination to produce smooth transitions and the proper sequence of interventions. A comprehensive trauma system accomplishes all this and has been proven to save lives and decrease costs.

Much of the progress in developing trauma systems has occurred as a result of Federal funding and involvement. In 1973, Congress passed the Emergency Medical Services Act, providing $300 million to States and communities over an eight year period. Without that funding, patients in 304 emergency medical service regions in the United States might not have had ready access to emergency care. Even today, there are areas of the United States without 9–1–1 access and prompt emergency transportation.

In 1990, Congress passed the original Trauma Care Systems Planning and

Development Act, authorizing Federal grants to States to develop integrated statewide trauma care systems. Funding for this program has been inadequate. From 1995 to 2000, States received no funding under the Act. Last year, only $3.5 million was appropriated for the entire country. As a result, only half of all States have fully functional statewide trauma systems. Clearly, we must do better in providing needed trauma care.

This legislation reauthorizes and enhances the trauma care program to establish comprehensive trauma systems in all States. The bill also addresses the urgent need for improved trauma data and research. Surprisingly, given the burden of trauma on society, only 1 percent of resources at the NIH are devoted to trauma research. The legislation asks the Institute of Medicine to investigate the quality of trauma care and identify areas for improvement.

This legislation is supported by the Coalition for American Trauma Care, the American College of Surgeons, and the American Trauma Society. Its enactment is vitally important to public safety, and I urge the Senate to approve it.

By Mr. LIEBERMAN (for himself, Mr. FEINGOLD, Mr. DURBIN, Mr. KENNEDY, Mr. JEFFORDS, and Mr. SCHUMER):

S. 3054. A bill to provide for full voting representation in Congress for the citizens of the District of Columbia, and for other purposes; to the Committee on Governmental Affairs.

Mr. LIEBERMAN. Mr. President, I rise today to join with my colleagues Senators RUSS FEINGOLD, DICK DURBIN, EDWARD KENNEDY, JIM JEFFORDS, and CHARLES SCHUMER in introducing legislation that would end a terrible injustice suffered by 600,000 American citizens—that is, the denial of full Congressional representation to the citizens of the District of Columbia. This injustice is nothing less than a stain on the fabric of our democracy. To right this wrong, we are introducing the No Taxation Without Representation Act of 2002 today in order to extend full Congressional representation to the citizens of our Capital City.

This is the second bill I have introduced to this Congress in order to achieve this important goal. It is embarrassing that ours is the only democracy in the world in which citizens of the Capital are not represented in the national legislature. I can only wonder what visitors from around the world must think when they come to see our beautiful landmarks, our monuments, and our Capitol dome, proud symbols of the world's greatest democracy, and then learn that the people who live in this great city have no voice in Congress. What would we do if, for some reason, the residents of Boston, Nashville, Denver, Seattle, or El Paso had no voting rights? All those cities are roughly the same size as Washington, D.C., and I know we as a Nation wouldn't let their citizens go voiceless in Congress.

Citizens of Washington, D.C. pay income taxes, and yet they have no say in how high those taxes will be or how their tax dollars will be spent. Citizens of Washington, D.C. serve their fellow Americans both here at home and in wars abroad, and yet inhabitants of the District of Columbia cannot choose representatives to the legislature that governs them. This city's people and institutions have been the direct target of terrorists, and yet citizens of the District have no one who can cast a vote in Congress on policies to protect their homeland security.

The vote is a civic entitlement of every tax-paying citizen of the United States. It is democracy's most elemental and essential right, its most useful tool. The citizens who live in our Nation's capital deserve more than a non-voting delegate in the House. Notwithstanding the strong service of the Honorable Congresswoman ELEANOR HOLMES NORTON and her ability to vote in committee, a representative without the power to vote on the floor of the House simply isn't good enough.

The name of this bill is intended as a reminder of the inextricable link in this Nation's history between the power to tax and the right to vote. Our forebearers went to war rather than pay taxes without representation. The principles for which our Nation's revolutionary heroes fought so hard more than 200 years ago apply just as forcefully to the citizens of the District of Columbia today as they did for the men and women who founded this great Nation.

Despite its title, ''No Taxation Without Representation,'' this bill does not relieve the District residents of their tax obligations, given their non-voting status. The people of D.C. are not looking to avoid paying their fair share of taxes. Instead, the bill grants the citizens of the District of the Columbia their much-belated birthright: the right to vote for and be represented by two Senators and a full Member of the House of Representatives. Further the bill increases the permanent membership of the House of Representatives by one, a symbolic acknowledgment that all along a member was missing: the Representative casting her vote for the people of Washington, D.C.

This legislation is no less than our broadly-held American values demand for our fellow citizens. In fact, a recent national poll shows that a majority of Americans believe D.C. residents already have Congressional voting rights. When informed that they do not, 80 percent say that D.C. residents should have full representation.

In righting this wrong, we won't just be following the will of the American people. We will be following the will of history. When the framers of the Constitution placed our Capital, which had not yet been established, under the jurisdiction of the Congress, they placed with Congress the responsibility of ensuring that D.C. citizens' rights would be protected in the future, just as Congress protects the rights of all citizens throughout the land. For more than 200 years, Congress has failed to meet this obligation. And I, for one, am not prepared to make D.C. citizens wait another 200 years.

In the words of this city's namesake, our first President, George Washington, ''Precedents are dangerous things; let the reins of government then be braced and held with a steady hand, and every violation of the Constitution be reprehended: If defective, let it amended, but not suffered to be trampled upon whilst it has an existence.''

The people of the District of Columbia have suffered this Constitutional defect far too long. Let's reprehend it and amend it together.

I ask unanimous consent that the text of the No Taxation Without Representation Act of 2002 be printed in the RECORD.

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

S. 3054

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 ''No Taxation Without Representation Act of 2002''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The residents of the District of Columbia are the only Americans who pay Federal income taxes but are denied voting representation in the House of Representatives and the Senate.

(2) The residents of the District of Columbia suffer the very injustice against which our Founding Fathers fought, because they do not have voting representation as other taxpaying Americans do and are nevertheless required to pay Federal income taxes unlike the Americans who live in the territories.

(3) The principle of one person, one vote requires that residents of the District of Columbia are afforded full voting representation in the House and the Senate.

(4) Despite the denial of voting representation, Americans in the Nation's Capital are second among residents of all States in per capita income taxes paid to the Federal Government.

(5) Unequal voting representation in our representative democracy is inconsistent with the founding principles of the Nation and the strongly held principles of the American people today.

SEC. 3. REPRESENTATION IN CONGRESS FOR DISTRICT OF COLUMBIA.

For the purposes of congressional representation, the District of Columbia, constituting the seat of government of the United States, shall be treated as a State, such that its residents shall be entitled to elect and be represented by 2 Senators in the United States Senate, and as many Representatives in the House of Representatives as a similarly populous State would be entitled to under the law.

SEC. 4. ELECTIONS.

(a) FIRST ELECTIONS.—

(1) PROCLAMATION.—Not later than 30 days after the date of enactment of this Act, the Mayor of the District of Columbia shall issue a proclamation for elections to be held to fill the 2 Senate seats and the seat in the House

of Representatives to represent the District of Columbia in Congress.

(2) MANNER OF ELECTIONS.—The proclamation of the Mayor of the District of Columbia required by paragraph (1) shall provide for the holding of a primary election and a general election and at such elections the officers to be elected shall be chosen by a popular vote of the residents of the District of Columbia. The manner in which such elections shall be held and the qualification of voters shall be the same as those for local elections, as prescribed by the District of Columbia.

(3) CLASSIFICATION OF SENATORS.—In the first election of Senators from the District of Columbia, the 2 senatorial offices shall be separately identified and designated, and no person may be a candidate for both offices. No such identification or designation of either of the 2 senatorial offices shall refer to or be taken to refer to the terms of such offices, or in any way impair the privilege of the Senate to determine the class to which each of the Senators elected shall be assigned.

(b) CERTIFICATION OF ELECTION.—The results of an election for the Senators and Representative from the District of Columbia shall be certified by the Mayor of the District of Columbia in the manner required by law and the Senators and Representative shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of the States in the Congress of the United States.

SEC. 5. HOUSE OF REPRESENTATIVES MEMBERSHIP.

(a) IN GENERAL.—Upon the date of enactment of this Act, the District of Columbia shall be entitled to 1 Representative until the taking effect of the next reapportionment. Such Representative shall be in addition to the membership of the House of Representatives as now prescribed by law.

(b) INCREASE IN MEMBERSHIP OF HOUSE OF REPRESENTATIVES.—Upon the date of enactment of this Act, the permanent membership of the House of Representatives shall increase by 1 seat for the purpose of future reapportionment of Representatives.

(c) REAPPORTIONMENT.—Upon reapportionment, the District of Columbia shall be entitled to as many seats in the House of Representatives as a similarly populous State would be entitled to under the law.

(d) DISTRICT OF COLUMBIA DELEGATE.—Until the first Representative from the District of Columbia is seated in the House of Representatives, the Delegate in Congress from the District of Columbia shall continue to discharge the duties of his or her office.

By Mr. CORZINE (for himself and Mr. DEWINE):

S. 3056. A bill to amend title 23, United States Code, to increase penalties for individuals who operate motor vehicles while intoxicated or under the influence of alcohol; to the Committee on Environment and Public Works.

Mr. CORZINE. Mr. President today, along with Senator DEWINE, I am introducing legislation that addresses the serious national problem of drunk driving. This bill, ''The Higher-Risk Impaired Driver Act,'' would help protect the public from those intoxicated drivers who pose the greatest threat to our safety.

This bill would target a specific population of drivers who pose a special danger on our roads. These are drivers who are convicted of driving while intoxicated within 5 years of a prior conviction; drivers who are convicted of driving while intoxicated with a blood alcohol content of .15 or greater; drivers who are convicted of driving while their license is suspended, when the suspension happened due to a driving while intoxicated offense; and drivers who refuse a blood alcohol concentration test while under arrest or investigation for involvement in a fatal or serious injury crash.

The statistics documenting the threat posed by these drivers are startling. Nationally in 2001, about 1,461 fatalities that occurred in crashes involving alcohol-impaired or intoxicated drivers who had at least one previous driving while intoxicated conviction, according to the National Institute of Highway Safety, NHTSA. Further, the AAA Foundation for Traffic Safety, in an analysis of NHTSA data from 1982 to 1999, found that over half the drivers who were arrested or convicted of driving while intoxicated during that period and 64 percent of drunken drivers who were fatally injured had a blood alcohol level of .15 or greater.

There are tragic stories behind these statistics: In my own State of New Jersey, for example, Navy Ensign John Elliott was killed by a driver who had a blood alcohol level that exceeded twice the legal limit. In that case, the driver had been arrested and charged with driving while intoxicated just three hours before the crash. After being processed for that offense, he had been released into the custody of a friend who drove him back to his car and allowed him to get behind the wheel.

The legislation I am introducing today would require states to enact a law that penalizes these higher risk offenders, reduces the threat that they pose, and gets offenders into appropriate substance abuse programs. The penalty provisions in such a law would include the suspension of an offender's drivers license for no less than one year and the requirement that the offender pay both a $1000 minimum fine as well as restitution to any victims of the offense. The reduction of the threat occurs through the requirement that the offender's motor vehicle be impounded for no less than 90 days and the requirement that the offender be imprisoned for a period of time and then shall either wear an electronic bracelet or be assigned to a DWI specialty facility. The treatment provision requires the assessment of the offender for placement into a substance abuse program.

This legislation follows the recommendations of Mothers Against Drunk Driving, MADD, in their Higher-Risk Driver Program. I look forward to working with the members of MADD nationwide to see this legislation enacted into law. 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. 3056

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 ''Higher-Risk Impaired Driver Act''.

SEC. 2. INCREASED PENALTIES.

(a) IN GENERAL.—Chapter I of title 23, United States Code, is amended by adding at the end the following:

''§ 165. Increased penalties for higher risk drivers for driving while intoxicated or driving under the influence

''(a) DEFINITIONS.—In this section, the following definitions apply:

''(1) BLOOD ALCOHOL CONCENTRATION.—The term 'blood alcohol concentration' means grams of alcohol per 100 milliliters of blood or the equivalent grams of alcohol per 210 liters of breath.

''(2) DRIVING WHILE INTOXICATED; DRIVING UNDER THE INFLUENCE.—The terms 'driving while intoxicated' and 'driving under the influence' mean driving or being in actual physical control of a motor vehicle while having a blood alcohol concentration above the permitted limit as established by each State.

''(3) LICENSE SUSPENSION.—The term 'license suspension' means the suspension of all driving privileges.

''(4) MOTOR VEHICLE.—The term 'motor vehicle' means a vehicle driven or drawn by mechanical power and manufactured primarily for use on public highways but does not include a vehicle operated solely on a rail line or a commercial vehicle.

''(5) HIGHER-RISK IMPAIRED DRIVER LAW.—

''(A) The term 'higher-risk impaired driver law' means a State law that provides, as a minimum penalty, that an individual described in subparagraph (B) shall—

''(i) receive a driver's license suspension for not less than 1 year, including a complete ban on driving for not less than 90 days and for the remainder of the license suspension period and prior to the issuance of a probational hardship or work permit license, be required to install a certified alcohol ignition interlock device;

''(ii) have the motor vehicle driven at the time of arrest impounded or immobilized for not less than 90 days and for the remainder of the license suspension period require the installation of a certified alcohol ignition interlock device on the vehicle;

''(iii) be subject to an assessment by a certified substance abuse official of the State that assesses the individual's degree of abuse of alcohol and assigned to a treatment program or impaired driving education program as determined by the assessment;

''(iv) be imprisoned for not less than 10 days, have an electronic monitoring device for not less than 100 days, or be assigned to a DUI/DWI specialty facility for not less than 30 days;

''(v) be fined a minimum of $1,000, with the proceeds of such funds to be used by the State or local jurisdiction for impaired driving related prevention, enforcement, and prosecution programs, or for the development or maintenance of a tracking system of offenders driving while impaired;

''(vi) if the arrest resulted from involvement in a crash, the court shall require restitution to the victims of the crash;

''(vii) be placed on probation by the court for a period of not less than 2 years;

''(viii) if diagnosed with a substance abuse problem, during the first year of the probation period referred to in clause (vii), attend a treatment program for a period of 12 consecutive months sponsored by a State certified substance abuse treatment agency and

meet with a case manager at least once each month; and

''(ix) be required by the court to attend a victim impact panel, if such a panel is available.

''(B) An individual referred to in subparagraph (A) is an individual who—

''(i) is convicted of a second or subsequent offense for driving while intoxicated or driving under the influence within a minimum of 5 consecutive years;

''(ii) is convicted of a driving while intoxicated or driving under the influence with a blood alcohol concentration of 0.15 percent or greater;

''(iii) is convicted of a driving-while-suspended offense if the suspension was the result of a conviction for driving under the influence; or

''(iv) refuses a blood alcohol concentration test while under arrest or investigation for involvement in a fatal or serious injury crash.

''(6) SPECIAL DUI/DWI FACILITY.—The term 'special DUI/DWI facility' means a facility that houses and treats offenders arrested for driving while impaired and allows such offenders to work and/or attend school.

''(7) VICTIM IMPACT PANEL.—The term 'victim impact panel' means a group of impaired driving victims who speak to offenders about impaired driving. The purpose of the panel is to change attitudes and behaviors in order to deter impaired driving recidivism.

''(b) TRANSFER OF FUNDS.—

''(1) FISCAL YEAR 2006.—Beginning on October 1, 2006, if a State has not enacted or is not enforcing a higher risk impaired driver law, the Secretary shall transfer an amount equal to 2 percent of the funds apportioned to the State on that date under each of paragraphs (1), (3), and (4) of section 104(b) to the apportionment of the State under section 402 solely for impaired driving programs.

''(2) FISCAL YEAR 2007.—On October 1, 2007, if a State has not enacted or is not enforcing a higher-risk impaired driver law, the Secretary shall transfer an amount equal to 4 percent of the funds apportioned to the State on that date under each of paragraphs (1), (3), and (4) of section 104(b) to the apportionment of the State under section 402 to be used or directed as described in paragraph (1).

''(3) FISCAL YEAR 2008.—On October 1, 2008, if a State has not enacted or is not enforcing a higher-risk impaired driver law, the Secretary shall transfer an amount equal to 6 percent of the funds apportioned to the State on that date under each of paragraphs (1), (3), and (4) of section 104(b) to the apportionment of the State under section 402 to be used or directed as described in paragraph (1).

''(4) DERIVATION OF AMOUNT TO BE TRANSFERRED.—The amount to be transferred under paragraph (1), (2), or (3) may be derived from 1 or more of the following:

''(A) The apportionment of the State under section 104(b)(1).

''(B) The apportionment of the State under section 104(b)(3).

''(C) The apportionment of the State under section 104(b)(4).

''(5) TRANSFER OF OBLIGATION AUTHORITY.—

''(A) IN GENERAL.—If the Secretary transfers under this subsection any funds to the apportionment of a State under section 402 for a fiscal year, the Secretary shall transfer an amount, determined under subparagraph (B), of obligation authority distributed for the fiscal year to the State for carrying out impaired driving programs authorized under section 402.

''(B) AMOUNT.—The amount of obligation authority referred to in subparagraph (A) shall be determined by multiplying—

''(i) the amount of funds transferred under subparagraph (A) to the apportionment of the State under section 402 for the fiscal year; by

''(ii) the ratio that—

''(I) the amount of obligation authority distributed for the fiscal year to the State for Federal-aid highways and highway safety construction programs; bears to

''(II) the total of the sums apportioned to the State for Federal-aid highways and highway safety construction programs (excluding sums not subject to any obligation limitation) for the fiscal year.

''(7) LIMITATION ON APPLICABILITY OF OBLIGATION LIMITATION.—Notwithstanding any other provision of law, no limitation on the total of obligations for highway safety programs under section 402 shall apply to funds transferred under this subsection to the apportionment of a State under such section.

''(c) WITHHOLDING OF FUNDS.—

''(1) FISCAL YEAR 2009.—On October 1, 2008, if a State has not enacted or is not enforcing a higher-risk impaired driver law, the Secretary shall withhold 2 percent of the amount required to be apportioned for Federal-aid highways to the State on that date under each of paragraphs (1), (3), and (4) of section 104(b).

''(2) FISCAL YEAR 2010.—On October 1, 2009, if a State has not enacted or is not enforcing a higher-risk impaired driver law, the Secretary shall withhold 4 percent of the amount required to be apportioned for Federal-aid highways to the State on that date under each of paragraphs (1), (3), and (4) of section 104(b).

''(3) FISCAL YEAR 2011.—On October 1, 2010, if a State has not enacted or is not enforcing a higher-risk impaired driver law, the Secretary shall withhold 6 percent of the amount required to be apportioned for Federal-aid highways to the State on that date under each of paragraphs (1), (3), and (4) of section 104(b).

''(4) COMPLIANCE.—Not later than 4 years after the date that the apportionment for any State is reduced in accordance with this section the Secretary determines that such State has enacted and is enforcing a provision described in section 163(a), the apportionment of such State shall be increased by an amount equal to such reduction. If at the end of such 4-year period, any State has not enacted and is not enforcing a provision described in section 163(a) any amounts so withheld shall be transferred to carry out impaired driving programs authorized under section 402.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 149—RECOGNIZING THE TEAMS AND PLAYERS OF THE NEGRO BASEBALL LEAGUES FOR THEIR ACHIEVEMENTS, DEDICATION, SACRIFICES, AND CONTRIBUTIONS TO BASEBALL AND THE NATION

Mr. NELSON of Florida submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. CON. RES. 149

Whereas even though African-Americans were excluded from playing in the major leagues of baseball with their Caucasian counterparts, the desire of some African-Americans to play baseball could not be repressed;

Whereas Major League Baseball was not fully integrated until July 1959;

Whereas African-Americans began organizing their own professional baseball teams in 1885;

Whereas 6 separate baseball leagues, known collectively as the Negro Baseball Leagues, were organized by African-Americans between 1920 and 1960;

Whereas the Negro Baseball Leagues included exceptionally talented players;

Whereas Jackie Robinson, whose career began in the Negro Baseball Leagues, was named Rookie of the Year in 1947 and subsequently led the Brooklyn Dodgers to 6 National League pennants and a World Series championship;

Whereas by achieving success on the baseball field, African-American baseball players helped break down color barriers and integrate African-Americans into all aspects of society in the United States;

Whereas during World War II, more than 50 Negro Baseball League players served in the Armed Forces of the United States;

Whereas during an era of sexism and gender barriers, 3 women played in the Negro Baseball Leagues;

Whereas the Negro Baseball Leagues helped teach the people of the United States that what matters most is not the color of a person's skin, but the content of that person's character and the measure of that person's skills and abilities;

Whereas only in recent years has the history of the Negro Baseball Leagues begun receiving the recognition that it deserves;

Whereas in 1997 Major League Baseball created a pension plan for former players of the Negro Baseball Leagues who went on to play in Major League Baseball; and

Whereas baseball is the national pastime and reflects the history of the Nation: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes the teams and players of the Negro Baseball Leagues for their achievements, dedication, sacrifices, and contributions to both baseball and our Nation; and

(2) encourages Major League Baseball in 2002 to reach a fair compensation agreement with former players of the Negro Baseball Leagues who were excluded under Major League Baseball's 1997 pension plan.

Mr. NELSON of Florida. Mr. President, I rise today to submit a resolution recognizing the teams and players of the Negro Baseball Leagues for their contributions to baseball and the Nation.

This important resolution also calls on Major League Baseball to compensate the Negro League players who were left out of the League's 1997 pension plan.

For half a century, most of the Negro League players were excluded from the Majors.

Even though Jackie Robinson broke the color barrier in 1947, it took another decade for Major League Baseball to really become integrated, when in July of 1959, the last Major League team fielded an African American player.

During the intervening years, Baseball systemically discriminated against most Negro Leaguers.

Baseball Commissioner Bud Selig sought to correct some of the failings of the past when he awarded an annual $10,000 pension benefit to some of the Negro Leaguers, but he left out those