

who have helped create and build this great American pastime.

EXPRESSING THE IMPORTANCE OF MOTORSPORTS

Mr. FRIST. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of H. Con. Res. 320, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 320) expressing the sense of the Congress regarding the importance of motorsports.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the concurrent resolution be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 320) was agreed to.

The preamble was agreed to.

UNITED STATES FIRE ADMINISTRATION REAUTHORIZATION ACT OF 2003

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 250, S. 1152.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1152) to reauthorize the United States Fire Administration, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which has been reported from the Committee on Commerce, Science, and Transportation, with amendments, as follows:

[Strike the part shown in black brackets and insert the part shown in italic.]

S. 1152

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 "United States Fire Administration Reauthorization Act of 2003".]

SEC. 2. RE-ESTABLISHMENT OF POSITION OF UNITED STATES FIRE ADMINISTRATOR.

[Section 1513 of the Homeland Security Act of 2002 does not apply to the position or office of Administrator of the United States Fire Administration, who shall continue to be appointed and compensated as provided by section 5(b) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2204(b)) after the functions vested by law in the Federal Emergency Management Agency have been transferred to the Directorate of Emergency Preparedness and Response in accordance with section 503 of the Homeland Security Act of 2002.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

[Section 17(g)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2216(g)(1)) is amended to read as follows: "(1) Except as otherwise specifically provided with respect to the payment of claims under section 11 of this Act, there are authorized to be appropriated to carry out the purposes of this Act—

- ["(A) \$52,000,000 for fiscal year 2004;
- ["(B) \$53,560,000 for fiscal year 2005; and
- ["(C) \$55,166,800 for fiscal year 2006.".]

TITLE I—UNITED STATES FIRE ADMINISTRATION REAUTHORIZATION

SECTION 101. SHORT TITLE.

This title may be cited as the "United States Fire Administration Reauthorization Act of 2003".

SEC. 102. RE-ESTABLISHMENT OF POSITION OF UNITED STATES FIRE ADMINISTRATOR.

Section 1513 of the Homeland Security Act of 2002 does not apply to the position or office of Administrator of the United States Fire Administration, who shall continue to be appointed and compensated as provided by section 5(b) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2204(b)) after the functions vested by law in the Federal Emergency Management Agency have been transferred to the Directorate of Emergency Preparedness and Response in accordance with section 503 of the Homeland Security Act of 2002.

SEC. 103. AUTHORIZATION OF APPROPRIATIONS.

Section 17(g) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2216(g)) is amended—

(1) by striking subparagraphs (A) through (K) of paragraph (1) and inserting the following:

- "(A) \$63,200,000 for fiscal year 2004, of which \$2,200,000 shall be used to carry out section 8(e);*
- "(B) \$65,096,000 for fiscal year 2005, of which \$2,266,000 shall be used to carry out section 8(e);*
- "(C) \$67,049,000 for fiscal year 2006, of which \$2,334,000 shall be used to carry out section 8(e);*
- "(D) \$69,060,000 for fiscal year 2007, of which \$2,404,000 shall be used to carry out section 8(e); and*
- "(E) \$71,132,000 for fiscal year 2008, of which \$2,476,000 shall be used to carry out section 8(e)."; and*

(2) by adding at the end the following:

"(3) Of the funds authorized by paragraph (1) for fiscal years 2004 through 2006, \$3,000,000 annually shall be made available for grants for fire fighting equipment necessary to fight fires using foam in remote areas without access to water."

TITLE II—FIREFIGHTING RESEARCH AND COORDINATION

SECTION 201. SHORT TITLE.

This title may be cited as the "Firefighting Research and Coordination Act".

SEC. 202. NEW FIREFIGHTING TECHNOLOGY.

IN GENERAL.—Section 8 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2207) is amended—

- (1) by striking "and" after the semicolon in paragraph (9) of subsection (a);*
- (2) by striking "section." in paragraph (9) of subsection (a) and inserting "section."; and*
- (3) by adding at the end of subsection (a) the following:*

"(9) methods of containing insect infested forest fires and limiting disbursement of resultant fine particle smoke; and

"(10) methods of measuring and tracking the disbursement of fine particle smoke resulting from fires of insect infested fuel.";

(4) by redesignating subsection (e) as subsection (f); and

(5) by inserting after subsection (d) the following:

"(e) DEVELOPMENT OF NEW TECHNOLOGY.—

"(1) IN GENERAL.—In addition to, or as part of, the program conducted under subsection (a), the Administrator, in consultation with the Na-

tional Institute of Standards and Technology, the Inter-Agency Board for Equipment Standardization and Inter-Operability, the National Institute for Occupational Safety and Health, the Directorate of Science and Technology of the Department of Homeland Security, national voluntary consensus standards development organizations, interested Federal, State, and local agencies, and other interested parties, shall—

"(A) develop new, and utilize existing, measurement techniques and testing methodologies for evaluating new firefighting technologies, including—

"(i) personal protection equipment;

"(ii) devices for advance warning of extreme hazard;

"(iii) equipment for enhanced vision;

"(iv) devices to locate victims, firefighters, and other rescue personnel in above-ground and below-ground structures;

"(v) equipment and methods to provide information for incident command, including the monitoring and reporting of individual personnel welfare;

"(vi) equipment and methods for training, especially for virtual reality training; and

"(vii) robotics and other remote-controlled devices;

"(B) evaluate the compatibility of new equipment and technology with existing firefighting technology; and

"(C) support the development of new voluntary consensus standards through national voluntary consensus standards organizations for new firefighting technologies based on techniques and methodologies described in subparagraph (A).

"(2) NEW EQUIPMENT MUST MEET STANDARDS.—For equipment for which applicable voluntary consensus standards have been established, the Administrator shall, by regulation, require that equipment or systems purchased through the assistance program established by section 33 meet or exceed applicable voluntary consensus standards."

SEC. 203. COORDINATION OF RESPONSE TO NATIONAL EMERGENCY.

(a) IN GENERAL.—Section 10 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2209) is amended—

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

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

"(b) MUTUAL AID SYSTEMS.—

"(1) IN GENERAL.—The Administrator, after consultation with the Under Secretary for Emergency Preparedness and Response, shall provide technical assistance and training to State and local fire service officials to establish nationwide and State mutual aid systems for dealing with national emergencies that—

"(A) include threat assessment and equipment deployment strategies;

"(B) include means of collecting asset and resource information to provide accurate and timely data for regional deployment; and

"(C) are consistent with the Federal Response Plan.

"(2) MODEL MUTUAL AID PLANS.—The Administrator, in consultation with the Under Secretary for Emergency Preparedness and Response, shall develop and make available to State and local fire service officials model mutual aid plans for both intrastate and interstate assistance."

(b) REPORT ON STRATEGIC NEEDS.—Within 90 days after the date of enactment of this Act, the Administrator of the United States Fire Administration shall report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Science on the need for a strategy concerning deployment of volunteers and emergency response personnel (as defined in section 6 of the Firefighters' Safety Study Act (15 U.S.C. 2223e), including a national credentialing system, in the event of a national emergency.

(c) UPDATE OF FEDERAL RESPONSE PLAN.—Within 180 days after the date of enactment of this Act, the Under Secretary of Emergency Preparedness and Response shall—

(1) revise the Federal Response Plan to incorporate plans for responding to terrorist attacks, particularly in urban areas, including fire detection and suppression and related emergency services; and

(2) transmit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Science describing the action taken to comply with paragraph (1).

SEC. 204. TRAINING.

(a) IN GENERAL.—Section 8(d)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2206(d)(1)) is amended—

(1) by striking “and” after the semicolon in subparagraph (E);

(2) by redesignating subparagraph (F) as subparagraph (N); and

(3) by inserting after subparagraph (E) the following:

“(F) strategies for building collapse rescue;

“(G) the use of technology in response to fires, including terrorist incidents and other national emergencies;

“(H) response, tactics, and strategies for dealing with terrorist-caused national catastrophes;

“(I) use of and familiarity with the Federal Response Plan;

“(J) leadership and strategic skills, including integrated management systems operations and integrated response;

“(K) applying new technology and developing strategies and tactics for fighting forest fires;

“(L) integrating terrorism response agencies into the national terrorism incident response system;

“(M) response tactics and strategies for fighting fires at United States ports, including fires on the water and aboard vessels; and”.

(b) CONSULTATION ON FIRE ACADEMY CLASSES.—The Superintendent of the National Fire Academy may consult with other Federal, State, and local agency officials in developing curricula for classes offered by the Academy.

(c) COORDINATION WITH OTHER PROGRAMS TO AVOID DUPLICATION.—The Administrator of the United States Fire Administration shall coordinate training provided under section 8(d)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2206(d)(1)) with the Attorney General, the Secretary of Health and Human Services, and the heads of other Federal agencies—

(1) to ensure that such training does not duplicate existing courses available to fire service personnel; and

(2) to establish a mechanism for eliminating duplicative training programs.

Mr. MCCAIN. Mr. President, I am pleased the Senate will now consider S. 1152, the United States Fire Administration Act of 2003. I am pleased to offer a substitute amendment which includes the provisions of S. 321, the Firefighting Research and Coordination Act.

I thank Senators HOLLINGS, BROWNBACK, BREAUX, BIDEN, DEWINE, CANTWELL, LINDSEY GRAHAM, CARPER, and SNOWE for their support of these two bills. I also thank Representative CAMP for his leadership in the House on the companion bill to S. 321. In addition, I thank Chairman BOEHLERT and ranking member HALL of the House Science Committee, and Chairman NICK SMITH of the Research Subcommittee for their work on this legislation.

The purpose of this legislation is to address many of the pressing needs of

our fire services. As we face a war against terrorism, we must remember that firefighters are among the first to respond to any domestic terrorist event. In addition, today's firefighters must be prepared to deal with a host of other hazards caused by urban and wild land fires, natural disasters, hazardous materials spills, and other accidents. This legislation is designed to ensure that our Nation's first-responders are adequately prepared and trained to take action against these myriad threats.

This legislation will reauthorize funding for the U.S. Fire Administration, USFA, for fiscal year 2005 through fiscal year 2008. The USFA's important mission is to reduce the loss of life and property due to fire and related emergencies. The agency utilizes a number of tools to fulfill its mission. The National Fire Academy, NFA, is the premiere training academy of the fire services, and has trained over 1.4 million firefighters and other first-responders in emergency management, fire prevention, and anti-terrorism. In addition, the USFA engages in research, testing, and evaluation activities with public and private entities to promote and improve fire and life safety.

This legislation also would reestablish the position of U.S. Fire Administrator at USFA. The U.S. Fire Administrator plays a critical role in our Nation's fire control policy and homeland security initiatives by serving as the point-of-contact for the fire services. This position was eliminated in last year's legislation that established the Department of Homeland Security. On April 30, 2003, the Senate Committee on Commerce, Science, and Transportation heard testimony from many of the major fire service organizations regarding the importance of the U.S. Fire Administrator, and the need for the administrator to serve as a representative of the fire services within the new Department of Homeland Security.

The legislation would address a major issue that fire departments face in equipping themselves. Today's firefighters use a variety of technologies including thermal imaging equipment; devices for locating firefighters and victims; and state-of-art protective suits to fight fires, clean up chemical and hazardous waste spills, and contend with potential terrorist devices. Unfortunately, there are no uniform technical standards for new equipment used in combating fires. Without such standards, local fire companies may purchase equipment that is faulty or that does not satisfy their needs. A January 2003, Consumer Reports article reported that much of the emergency equipment sold today is not tested or certified by the government or independent labs. The article states that “the confusion will get worse, emergency departments say, as new equipment floods the market in response to increased government funding.”

The legislation would help to resolve this problem by authorizing the U.S.

Fire Administrator to work with other Federal agencies and interested parties to support the development of voluntary consensus standards for new firefighting technology. Fire departments would use these standards when buying equipment through the federal Assistance to Firefighters Grant Program. In the rare case where a standard is out of date, the U.S. Fire Administrator would be allowed to grant a waiver.

The legislation also would address many of the coordination challenges that firefighters face during national emergencies. It would direct the U.S. Fire Administrator to provide assistance to State and local fire services in developing mutual aid plans, and report on a strategy for deployment of volunteers and other emergency response personnel.

Additionally, the legislation would authorize the National Fire Academy to train firefighters on technologies and strategies to respond to future terrorist attacks. It also would authorize the U.S. Fire Administrator to work with other federal agencies to coordinate training programs to prevent duplication.

The bill also would authorize the U.S. Fire Administrator to work with the Department of Agriculture and Department of the Interior to provide assistance in fire prevention and control technologies, including methods of containing insect-infested forest fires as well as measuring, tracking, and limiting the dispersal of the resulting smoke. In addition, the legislation would expand the Board of Directors of the National Fallen Firefighters Foundation from nine members to 12. And, it would allow local fire departments to purchase equipment for fighting fires with foam in remote areas without access to water under the Assistance to Firefighters Grant Program.

This legislation is supported by the National Volunteer Fire Council; the Congressional Fire Services Institute; the National Fire Protection Association; the International Association of Fire Chiefs; the International Association of Fire Fighters; the International Association of Arson Investigators; International Society of Fire Service Instructors; North American Fire Training Directors and the International Fire Service Training Association.

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

I ask unanimous consent to print the letter of endorsement in the RECORD.

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

NOVEMBER 6, 2003.

Hon. JOHN MCCAIN,
Chairman, Senate Committee, Science and Transportation Committee, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR MCCAIN: We are writing in strong support of S. 1151/H.R. 2692, the United States Fire Administration Reauthorization Act of 2003. Through a cooperative effort between both the leaders of the

authorizing committees and our organizations, this legislation charts a course for the United States Fire Administration to prepare our nation's fire service for the many challenges it faces in a post 9-11 world.

Of particular importance to the fire service is the reinstatement of the United States Fire Administrator position as a Senate-confirmed position. As you are aware, the Homeland Security Act of 2002 (Public Law 107-296) inadvertently eliminated the position of U.S. Fire Administrator. The Fire Administrator is the lead advocate for the fire service within a presidential administration. In a display of nonpartisanship, the nation's fire service, several members of Congress, and Secretary Tom Ridge agreed that the position needed to be reinstated.

Like you, we have taken a keen interest in the development of new technologies for first responders. While the emergence of new technologies will certainly benefit the readiness of local first responders, attention must be given to its performance capabilities. Otherwise we could jeopardize the safety of our first responders. For this reason, we support the Firefighter Research and Coordination Act (S. 321/H.R. 545) as an amendment to the reauthorization measure. Many new technologies have the potential to improve the capabilities of our first responders; however we must ensure that these technologies serve their intended purpose and protect our firefighters and emergency medical personnel through the requirement that equipment purchased with the FIRE Grant program must meet voluntary consensus standards.

We also support the other sections of the legislation calling for coordination of response to national emergencies and for increased training. These are critical to the effective deployment and safety of first responders at major incidents.

Lastly, there is one issue not included in your legislation that we encourage both the Congress and the U.S. Fire Administration to help us advance: the installation of automatic fire sprinklers in both homes and the workplace. We can significantly reduce the number of deaths caused by fire by providing incentives and encouragement to the public to stall automatic sprinkler systems in their homes and businesses. Until the 108th session adjourns, we will continue to call on Congress to support the Fire Sprinkler Incentives Act, sponsored by Congressman Curt Weldon and Senator Jon Corzine and any other measures that promote the use of sprinklers.

We look forward to working with you in advancing this legislation through Congress quickly. Again, we thank you for your continued support.

Sincerely,

Congressional Fire Service Institute, International Association of Arson Investigators, International Association of Fire Chiefs, International Association of Fire Fighters, International Fire Service Training Association, International Society of Fire Service Instructors, National Fire Protection Association, National Volunteer Fire Council, North American Fire Training Directors.

Ms. SNOWE. Mr. President, I rise today in support of S. 1152, the U.S. Fire Administration Reauthorization Act of 2003 that reestablishes the position of U.S. Fire Administrator and incorporates the provisions of S. 321, the Firefighting and Research Coordination Act which I cosponsored.

As we prepare to reauthorize the U.S. Fire Administration for the first time since fiscal year 2000, we do so in a

vastly changed environment. In that time, the term "first responder" has entered the lexicon and is now a part of our national consciousness. Americans have always understood and were assured that in the event of an emergency, units of the U.S. Fire Service would respond, render aid to the suffering, and protect our property and resources. However, we had gotten to the point that we were taking the Fire Service for granted.

All of that changed, as did many things in America, on September 11, 2001. On that day, we watched in horror as those tragic events unfolded in New York, Pennsylvania and at the Pentagon, and we saw over and over the bravery and sacrifice of those proud men and women of the United States Fire Service as they worked tirelessly and without regard for their personal safety to help their fellow Americans. On that day, all of America once again became aware of those who live in our midst—our neighbors, our friends, and our relatives—who daily stand on the front lines to protect us from harm.

Since that time we embarked on an immense reorganization of the Government as we stood up the Department of Homeland Security. There were many views about the relative pros and cons of such a Department and which Federal agencies should be included in the Department and which were better left outside. This proposal will reauthorize just one agency within that organization, the United States Fire Administration. Most importantly, it will reestablish the U.S. Fire Administrator position as a separate entity appointed by the President and ensure that it is not subsumed as the Director of the Preparedness Division within the Department of Homeland Security.

In testimony earlier this year before the Commerce Committee, we heard from representatives from the International Association of Fire Chiefs, the National Fire Protection Association and the National Volunteer Fire Council who were united in their call to reestablish the position of United States Fire Administrator because of the importance of having an independent voice within the administration. As one example, they cited the need to have the Fire Administrator oversee the Firefighter Investment and Response Enhancement, FIRE, Act grants program to ensure funds were properly focused on the entirety of the fire service mission and not expended on strictly counterterrorism efforts.

I have always believed the FIRE grant program was one of the most successful competitive grant programs run by the Federal Government. In fiscal year 2002, my home State of Maine received a little over \$4.3 million in grants, most of which went to the smallest communities in the State. In fact, the largest single recipient was the smaller South Berwick Fire Department, not the larger Portland or Bangor departments.

I have the honor and privilege of representing the Great State of Maine

which has 5,300 miles of coastline and a long and proud maritime tradition. I am particularly pleased that this measure amends the FIRE grant process to include maritime firefighting so that those responsible for the protection of our ports and vessels at sea have the opportunity to acquire the tools and equipment they need to accomplish that mission.

Beyond simply directing the FIRE Act program, the bill also authorizes the U.S. Fire Administrator, in consultation with the National Institute of Standards and Technology, the Inter-Agency Board for Equipment Standardization and Interoperability, the Directorate of the Science and Technology at the Department of Homeland Security, national voluntary consensus standards development organizations and other interested parties, to develop the measurement techniques and testing methodologies to assess new firefighting technologies.

Such standards would support the development of voluntary consensus standards for evaluating the performance and compatibility of new firefighting technology, including thermal imaging equipment; early warning fire detection devices; personal protection equipment for firefighting; victim detection equipment; and devices to locate firefighters in buildings.

The U.S. Fire Administration Reauthorization Act also ensures that equipment purchased under the FIRE grant program will be required to meet or exceed those applicable voluntary consensus standards unless waived by the Fire Administrator in accordance with very specific guidelines.

Furthermore, under this legislation, the Fire Administrator is tasked with acting as a resource for State and local governments in developing mutual aid plans, updating the Federal Response Plan, and reporting on the need for a strategy for deploying volunteers, including a national credentialing system. New training programs at the National Fire Academy to improve tactics for using new firefighting technology and responding to terrorist attacks will be authorized under this measure.

I want to stress that the report on our strategic needs for the deployment of volunteers and emergency response personnel would be required within 90 days of enactment and a report describing plans to revise the Federal Response Plan to address responses to terrorism attacks would be due 180 days after enactment. These times are critical because it is imperative we complete the planning our national response so the Fire Service can more effectively protect our fellow citizens.

Successful implementation of those plans require that our firefighters undergo comprehensive training to understand and use the Federal Response Plan, to use new technologies and to develop the strategies and tactics to fight fires wherever they occur—in buildings, in forests or on the water.

This legislation also encourages the Superintendent of the National Fire Academy to coordinate with Federal, State and local agencies to develop the curricula to accomplish that training and ensure that it is available in all geographic regions to both career and volunteer firefighters.

In conclusion, I would just say that this reauthorization of the Fire Administration is vital to those who risk their own lives every day in this nation to protect our citizens and our resources. It provides them with the leadership, the tools, the planning and the training they need to effectively accomplish that mission and I urge my colleagues to support passage of this measure.

Mr. FRIST. Mr. President, I ask unanimous consent that the McCain substitute at the desk be agreed to, the committee substitute, as amended, be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The amendment (No. 2207) was agreed to, as follows:

(Purpose: To provide a complete substitute for the language reported by the Committee on Commerce, Science, and Transportation)

Strike all after the enacting clause and insert the following:

TITLE I—UNITED STATES FIRE ADMINISTRATION REAUTHORIZATION

SEC. 101. SHORT TITLE.

This title may be cited as the "United States Fire Administration Reauthorization Act of 2003".

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 1152), as amended, was passed.

PRESERVATION OF EXISTING JUDGESHIPS ON THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Mr. FRIST. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 399, S. 1561.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1561) to preserve existing judgeships on the Superior Court of the District of Columbia.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements related to the bill be printed in the RECORD.

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

The bill (S. 1561) was read the third time and passed, as follows:

S. 1561

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COMPOSITION OF SUPERIOR COURT.

Section 903 of title 11 of the District of Columbia Code is amended by striking "fifty-eight" and inserting "61".

FAIRNESS TO CONTACT LENS CONSUMERS ACT

Mr. FRIST. I ask unanimous consent the Senate proceed to consideration of H.R. 3140, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3140) to provide for availability of contact lens prescriptions to patients, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements related to the bill be printed in the RECORD.

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

The bill (H.R. 3140) was considered read the third time and passed.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2004

Mr. FRIST. I ask unanimous consent the Senate proceed to the consideration of H.J. Res. 78, which is at the desk.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 78) making further continuing appropriations for the fiscal year 2004, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. I ask the amendment at the desk be agreed to, the joint resolution, as amended, be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the joint resolution be printed in the RECORD.

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

The amendment (No. 2208) was agreed to, as follows:

On page 2, line 7, strike "23" and insert "24".

The joint resolution (H.J. Res. 78), as amended, was considered read the third time and passed.

ORDERS FOR FRIDAY, NOVEMBER 21, 2003

Mr. FRIST. I ask unanimous consent when the Senate completes its business today, it adjourn until 9:30 a.m. Friday, November 21. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to

date, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of the conference report to accompany H.R. 6, the Energy Policy Act, and that there then be 60 minutes equally divided between the chairman and ranking member of the Energy and Natural Resources Committee; provided that the final 10 minutes be divided between Senator BINGAMAN or his designee in control of the first 5 minutes, and the chairman or his designee in control of the final 5 minutes on the motion to invoke cloture on the conference report.

Mr. REID. Reserving the right to object, I appreciate the majority leader allowing the full 60 minutes after the prayer and pledge.

I ask, so there is no confusion on this side—this has been cleared with Senator BINGAMAN—the time on our side be allotted as follows: Senator LIEBERMAN, 4 minutes; Senator MCCAIN, 4 minutes; Senator CANTWELL, 3 minutes; Senator SCHUMER, 4 minutes; Senator JEFFORDS, 4 minutes; Senator COLLINS, 4 minutes; and the final 5 minutes, as pursuant to the intended order be Senator BINGAMAN.

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

PROGRAM

Mr. FRIST. Tomorrow morning there will be 1 hour of debate prior to a cloture vote on the energy conference report. I hope the Senate will be able to invoke cloture on this long overdue issue. It is important that the Senate invoke cloture to allow the Senate to have an up-or-down vote on the bill that will strengthen the Nation's energy security by establishing a national energy policy.

I would also announce that the conference committee on the Medicare reform legislation has finished its work. That conference report will be filed in the House. We hope to consider and complete that measure just as soon as possible.

In addition, we have the Appropriations Committee which is completing its work on the appropriations process. And we will shortly consider that conference report as well.

Having said that, we will have roll-call votes tomorrow. A number of people have asked about the weekend schedule, and we have been very clear over the last week and a half that we will be in session this weekend. But the specifics of the weekend schedule, hopefully, we will be able to announce sometime midday tomorrow.

ORDER FOR ADJOURNMENT

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order, following the remarks of Senator GRASSLEY and Senator DODD.