STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mr. CARPER, Mr. ROCKEFELLER, Mr. VOINOVICH, Mr. FEINGOLD, Mr. SUNUNU, Mr. COLEMAN, Mr. PRYOR, Mr. ALLARD, and Mr. AKAKA):

S. 1245. A bill to provide for homeland security grand coordination and simplification, and for other purposes; to the Committee on Governmental Affairs.

Ms. COLLINS. Mr. President, I rise today to introduce legislation, the Homeland Security Grant Enhancement Act, to streamline and strengthen the way we help our States, communities, and first responders protect our homeland. I am pleased to be joined by a number of my colleagues including Senators CARPER, ROCKEFELLER, VOINOVICH, FEINGOLD, SUNUNU, COLEMAN, PRYOR, ALLARD, and AKAKA.

Last year, the Senate spent nearly three months on the Homeland Security Act, yet the law contains virtually no guidance on how the Department is to assist State and local governments with their homeland security needs. In fact, the 187-page Homeland Security Act mentions the issue of grants to first responders in but a single paragraph. As a result, the Department of Homeland Security currently allocates billions of dollars of grant funds according to formulas borrowed from the USA Patriot Act. The Homeland Security Act left the decisions on how Federal dollars should be spent or how much money should be allocated for another day. Today is that day.

Much of the burden for homeland security has fallen on the shoulders of State and local officials across America, especially our first responders—the firefighters, police officers and ambulance crews on the front lines. Over the past months, the Committee on Governmental Affairs has listened to them describe the challenges associated with constructing effective homeland security strategies. We have also listened to State and local officials as well as Department of Homeland Security Secretary Tom Ridge. This series of three hearings looked at the issues from a variety of perspectives and helped shape the legislation we introduce today.

At our first hearing, we heard from first responders: our firefighters, law enforcement officials, and emergency medical technicians, who discussed the challenges they face protecting our communities.

Arlington Fire Chief Ed Plaugher, the incident commander at the Pentagon on September 11, told the Committee that he had received little homeland security funding since 9–11. Chief Paugher also underscored the gaps in the homeland security planning process. Many law enforcement officials shared Chief Plaughter's concerns. Portland, ME, Police Chief Mike Chitwood, for example, expressed his frustrations about the roadblocks to accessing Federal funding and the lack of coordination by Federal agencies with local jurisdictions.

Secretary Ridge testified at our second hearing. He discussed the ongoing challenges involved in providing Federal resources to States, communities and first responders. He also outlined ways we can improve the efficiency and effectiveness of homeland security grant programs to help first responders get the resources they need.

Secretary Ridge's comments underscored the need to improve the way the Department of Homeland Security's first responder grant programs are organized within the Department, and the way the Department distributes these grants.

The Committee's third hearing featured State and local officials who expressed their support for more flexibility, coordination, and simplification of Federal homeland security grant programs.

Maine's emergency manager, Art Cleaves, said the current maze of homeland security programs has caused so much paperwork that States may be forced to hire additional staff just to deal with a multiplicity of forms and planning documents.

Other witnesses, including Governor Mitt Romney of Massachusetts, outlined the need for coordinating homeland security funding across the Federal Government. Their comments underscored how communities can access funding for interoperable communications equipment through six different Federal programs, including the FIRE Act, COPS, two Department of Health and Human Services' bio-terrorism grant programs, FEMA's Emergency Management Performance Account, and ODP's State homeland security grant program. Despite the unified goals of these grants—to purchase interoperable equipment—Federal agencies are under no requirement to coordinate their efforts.

While State and local officials agreed on the need to coordinate programs and make it easier to apply for grants, Mayor Kwame Kilpatrick and Governor Romney commented on the differences between States and localities regarding how best to allocate funds, through States or directly to the local level.

I am pleased that these hearings have helped to build a consensus on this issue. Yesterday, I received a letter from State and local organizations including the National League of Cities, the National Association of Counties, and the National Governors Association, which have come together in support of our approach, to provide funds through States, but to require that eighty percent be passed through to the local level.

Our legislation will provide a map that will better connect our front-line protectors with the funding they need. It will eliminate duplicative homeland security planning requirements; make it easier to apply for grants; coordinate the many grant programs that provide homeland security funds; and promote a community-based approach to homeland security funding. I would like to briefly describe the approach we have taken.

The first provision of our legislation would promote the same kind of coordination among Federal agencies that we require of our States and localities. It would require Federal agencies to build a clear, well-marked path that would lead our first responders to the funding that enables them to do what they do best: prepare for and respond to emergencies.

Second, the legislation would coordinate government-wide homeland security funding by promoting one-stop-shopping for homeland security funding opportunities. It would establish an information clearinghouse to assist first responders and State and local governments in accessing homeland security grant information and other resources within the new department. The clearinghouse would improve access to homeland security grant information, coordinate technical assistance for vulnerability and threat assessments, provide information regarding homeland security best practices, and compile information regarding homeland security equipment purchased with Federal funds.

The legislation also recognizes the importance of building on existing successful programs, such as the FIRE Act, which provides funding directly to fire departments for equipment and training on a competitive, peer reviewed basis. It would allow the FIRE Act to continue to be administered in its current form, but would coordinate its activities with other Federal programs. For example, it would make sure that two neighboring jurisdictions receiving funding from the FIRE Act are aware of industry standards regarding the interoperability of communications equipment.

The third provision of our legislation would strengthen the Office for Domestic Preparedness's State Homeland Security Grant Program by simplifying the grant process, promoting more local input in homeland security funding, and promoting more flexibility in the use of funds.

The lack of guidance in the Homeland Security Act has forced State and local governments and first responders to engage in a 12-step odyssey to obtain funding from ODP's State homeland security grant program. And this program is just one of several homeland security grant programs to which a State, locality, police, or fire department can apply.

The legislation distills the homeland security grant process from twelve steps to two. First, State and local governments and emergency responders will develop a three-year homeland security plan that outlines vulnerabilities and capabilities, and a process for allocating resources to meet State and local needs. This plan will also require the development of

measurable goals and objectives, such as increasing the number of local jurisdictions participating in local and statewide exercises. Second, States and communities will apply for funds based on this plan, which they can revise each year pending approval from the Secretary.

This legislation would ensure that local government officials and first responders have a louder voice in the homeland security planning process and can access homeland security dollars and equipment in an efficient manner. It would also require that eighty percent of these resources reach the local level within sixty days of the grant allocation.

When I met with the Maine fire chiefs, they expressed concerns about the lack of flexibility in homeland security funding, especially in the area of overtime costs for training. They told me that since homeland security funds cannot be used for most overtime costs, some of Maine's firefighters have been forced to turn down training opportunities at the National Fire Academy. Because there was no funding to pay the overtime costs for someone to fill in while the firefighter trained at the Academy, they had to forego this valuable training opportunity.

Our legislation would address their concerns by allowing funds to be used not only for planning, equipment, exercises, and training, but also for certain overtime costs associated with training activities.

Our legislation also recognizes that certain high threat areas have critical vulnerabilities that must be addressed immediately. This legislation will direct the Secretary to use ten percent of total funding for this program to address these critical vulnerabilities. While this provision provides flexibility, it requires that any direct funding be consistent with the State plan. Furthermore, this legislation formally authorizes the Emergency Management Preparedness Grant, which provides resources to the backbone of our emergency management structure, and ensures an adequate level of funding under this program.

While some States and communities face a more imminent threat, our Nation must provide for the safety of all of our citizens. This grant program maintains the current baseline level of homeland security assistance to each State. It then allocates the bulk of the funds not based solely on population, as is the case now, but on risk assessments undertaken for each State.

Right now, States and localities must complete numerous homeland security plans, each with its own set of questions and benchmarks. Terrorists will not be deterred by paperwork or by communities answering the same question six different ways.

That's why our legislation would streamline the planning process by requiring a single set of cooperatively developed performance standards to help States and localities evaluate homeland security plans.

When I met with officials of Maine's Emergency Management Agency, they told me that the rigid structure of many homeland security grant programs frustrates their efforts to help first responders secure communities across our State.

In past years, for example, the Office for Domestic Preparedness's homeland security grant program allocated the same percentage of each State's funds for training, equipment, exercises, and planning, thus leaving no room to accommodate different States' priorities. In allocating funds this way, the Federal Government effectively said that Maine must spend exactly the same portion of its homeland security dollars on training as Hawaii. Moreover, States cannot transfer surplus funds from one category to another to meet their needs.

As a result, Maine may be forced to return some of the Homeland Security funds allocated for exercises. This one size fits all formula used in past homeland security funding makes no sense. I believe all States and communities should have the flexibility to spend homeland security dollars where they are most needed. That is why this legislation would allow flexibility in homeland security funds that have already been appropriated but remain unspent.

The current homeland security grant structure is unacceptable. Secretary Ridge has done an admirable job distributing billions of dollars of homeland security funds based on borrowed authorities and with no real guidance. It is time to deal the Secretary a full hand of cards and give our States, localities, and first responders a straight path to homeland security programs, not a maze. We must topple the mountain of paperwork. We must help, not hinder, our front-line defenders.

I urge my colleagues to join me in sponsoring this legislation to build a stronger and better homeland security partnership in the months and years ahead.

Mr. CARPER. Mr. President, I rise today to join my friend from Maine, Ms. COLLINS, in introducing the Homeland Security Grant Enhancement Act of 2003, legislation that greatly improves the method currently used to distribute much-needed first responder aid.

When my colleagues and I on the Governmental Affairs Committee worked last year under Senator LIEBERMAN's leadership to create the Department of Homeland Security, we all hoped that what we were setting up would help the Federal Government be better able to prevent and respond to terrorist attacks. As of March 1st of this year, we have in place the skeleton of an organization that aims to pull together under one roof information on threats and vulnerabilities and use that information to improve security and prepare first responders.

As I've pointed out a number of times, however, no matter how well Secretary Ridge does his work on the Federal level, we will not be much safer than we were on September 10, 2001 unless our first responders are better prepared to do their work on the local level. While homeland security should certainly be a shared responsibility, it is vitally important that the Federal Government does its part to provide each State and its first responders with the assistance necessary to ensure that the citizens they serve are adequately protected. The Homeland Security Grant Enhancement Act is an important step toward making this happen.

Today, States, localities and first responders can receive Federal assistance from a number of different aid programs administered by several different agencies. All of the programs serve different purposes and require different applications. The Homeland Security Grant Enhancement Act sets up a process to streamline these programs to allow them to work well together and avoid imposing redundant or duplicative requirements on applicants. The aim is not to eliminate programs, but to ensure that existing homeland security and homeland security-related grant programs are well coordinated and impose as small an administrative burden on applicants as possible.

The Homeland Security Grant Enhancement Act also creates a ''one-stop shop'' for grant information within the Department of Homeland Security by moving the Office of Domestic Preparedness, ODP, the agency within the Department of Homeland Security charged with administering the current state homeland security grant program, from the Directorate for Border and Transportation Security to the Office for State and Local Government Coordination. In its new location, ODP will operate a ''clearinghouse'' for grant information that would offer services such as a toll-free hotline and a list of recommended first responder equipment. ODP will also maintain a compilation of ''best practices'' made up of successful homeland security programs from across the country and offer states technical assistance in developing the terrorism risk assessments that will be a part of the new State grant program.

Most importantly, the Homeland Security Grant Enhancement Act also makes key improvements to the formula for distributing first responder aid among the States. The new formula maintains the requirement that all money go to State governments and that 80 percent of that money be passed through to cities and localities. It also maintains the current small state minimum in which each State receives an equal share of 40 percent of funds made available for state grants. It makes a major improvement, however, by dividing the remaining 60 percent of the money among the states according to an analysis of potential threats in each State.

The current formula for distributing first responder aid ignores the fact that Delaware, though small in population, is located in the Northeast midway between New York and Washington. It ignores the fact that Delaware is home to a major port, oil refineries and chemical plants. It ignores the fact that Delaware every day hosts scores of ships, trains and trucks on their way to destinations up and down the East Coast. It also ignores the fact that Delaware is home to the Dover Air Force Base, a facility that played a crucial role in the recent conflicts in Afghanistan and Iraq.

I understand the need to give larger States, especially those with densely populated urban areas, enough resources to protect their larger populations. No State, however, should be less safe than its neighbors simply because it has a smaller population. The Federal Government should be working to bring every state and locality to the point where they are capable of responding effectively to any potential threat. I am concerned that the current formula, based mostly on population does not prepare all States adequately.

The Homeland Security Grant Enhancement Act still requires that population be taken into account when distributing first responder aid. However, it adds the requirement that the Secretary of Homeland Security also account for threats and risk to critical infrastructure identified in State risk assessments that would be submitted to the department as part of the grant application process. The bill also ensures that all localities within States get their fair share of money by requiring that local leaders be included in the planning and application process in each state and that the distribution method a given state will use once it receives its money is approved by the department before a check is cut.

Finally, the Homeland Security Grant Enhancement Act gives states new flexibility in spending their first responder aid by incorporating provisions from S. 838, legislation Ms. COLLINS and I introduced in April. That bill allows States to apply for a waiver from the Department of Homeland Security so that they can move their first responder aid around between the four categories—equipment, training, exercises and planning—in which it is sent to them. This change will allow States to better meet needs identified in their State terrorism response plans.

I applaud the Senator from Maine for her leadership on these important issues. I look forward to working with her and all of my colleagues in getting this important legislation passed and signed into law as soon as possible.

By Ms. SNOWE (for herself, Mr. KERRY, Mr. BOND, Ms. CANTWELL, Mr. BURNS, Mr. LEVIN, Mr. ENZI, Mr. GRASSLEY, Mr. BAUCUS, Mr. DOMENICI, Mr. BINGAMAN, Mr. KOHL, Mrs. DOLE, Mr. CORZINE, Ms. LANDRIEU, Mr. COLEMAN, Mr. KENNEDY, Mr. DURBIN, Mr. EDWARDS, Mr. DAYTON, and Mr. HARKIN):

S. 1247. A bill to increase the amount to be reserved during fiscal year 2003 for sustainability grants under section 29(1) of the Small Business Act; considered and passed.

Ms. SNOWE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1247

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 ''Women's Business Centers Preservation Act of 2003''.

SEC. 2. SUSTAINABILITY GRANTS FOR WOMEN'S BUSINESS CENTERS.

Section 29(k)(4)(A)(iv) of the Small Business Act (15 U.S.C. 656(k)(4)(A)(iv)) is amended by striking ''30.2 percent'' and inserting ''36 percent''.

By Mr. GREGG (for himself and Mr. KENNEDY):

S. 1248. A bill to reauthorize the Individuals with Disabilities Education Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. GREGG. Mr. President, today, I join my esteemed colleague, the Senator from Massachusetts, Senator KENNEDY, in introducing the Individuals with Disabilities Education Improvement Act of 2003.

In the past, the Individuals with Disabilities Education Act, IDEA, bills received bipartisan votes at the end of a long, divisive and arduous process. What makes today's introduction of a bipartisan IDEA bill so unique is that it is bipartisan in its inception.

The reason this is a bipartisan bill is because it strikes the appropriate balance between protecting the educational rights of children with disabilities while simultaneously making IDEA less litigious and compliance based. Above all, the bill is designed to ensure that IDEA resources are directed to help children with disabilities obtain the same opportunity to succeed as all other students.

The bill streamlines State and local requirements to ensure that paperwork focuses on improved results for children with disabilities. By eliminating the need for an 800+ procedural checklist, these amendments favor the improvement of educational and functional results for children with disabilities over burdensome bureaucratic rules.

The bill responds to concerns that we've heard from both parents and school administrators alike on how the law has evolved into a full employment government program for lawyers. Over and over again, we hear of fights about past procedural issues and technical errors instead of making sure that the children are being well served in the here and now.

The bill includes many common sense provisions to alleviate the stress in disagreements between schools and parents and encourages them to seek out mediation to address their concerns before they move to formal hearings. The bill restores trust by; providing parents with better access to information and resources to understand their rights and work through conflicts; making clear that parents can request an initial evaluation of a child for IDEA services and making it easier for parents to make changes to their child's individual education plan; requiring complaints of either the school or parents to be clear and specific before going to due process; and requiring hearing officers to make decisions based upon substantive grounds not technical issues that have no bearing on a child's education.

This bill currently does not specifically address the issue of full funding, because Senator KENNEDY and I decided at the very outset to postpone that issue to the floor, since that is an issue that merits the attention and active participation of the entire Senate. However, in addition to simplifying funding formulas so that both States and local school districts have a better indication of the funding available, the bill includes 2 key provisions that will provide additional fiscal relief for school districts than what is provided to them under current law.

First, we allow school districts to treat 8 percent of their IDEA funds as local funds. This will allow school districts to better align funding among programs based on local priorities. Second, we require States to reserve 2 percent of their overall IDEA Part B grant to establish risk pool accounts to provide new resources to assist local school districts and charter schools in addressing the costs of providing services to high-need children and unanticipated enrollment of students with disabilities.

Finally, the bill addresses the discipline provisions in current law that schools and parents have found to be confusing, hard to administer, and have resulted in outcomes that were not always fair to every child. The bill simplifies the framework for schools to administer the law, while ensuring the rights and the safety of all children.

Importantly, the bill will require schools to consider whether a child's behavior was the result of their disability when considering disciplinary action, and ensure that individualized education plans contain positive behavioral interventions and supports when a child's behavior impedes his or her own learning, or that of others.

Senator KENNEDY and I were determined to make this a bipartisan process from the beginning. We have crafted a bill that we're confident will be overwhelmingly supported by both Republicans and Democrats—and most importantly by parents, the disabled community and the school community.

Mr. KENNEDY. Mr. President, it is a privilege to join with Senator GREGG to introduce the reauthorization of the Individuals with Disabilities Act. Our goal is a quality education for every disabled child.

We know that education opens the golden door of opportunity for every child, and it is especially important for children with disabilities. Since it was first enacted, IDEA has opened that door and helped millions of children with disabilities to lead independent and productive lives. For them, IDEA has been the difference between dependence and independence, between lost potential and productive careers.

The need for IDEA is greater now than ever. Over 6 million children with disabilities rely on the Act to obtain the same learning opportunities as their non-disabled fellow students.

We know that schools need Federal help to make IDEA work. Over the last two years we have listened to students, parents, teachers, and school administrators. We have weighed thousands of comments on the most effective ways to live up to the great promise of this law.

They told us they needed stronger enforcement of IDEA. This bill provides it, by giving the Secretary of Education and State education agencies greater power and new ways to measure compliance and impose sanctions when schools fail to live up the standards we've set.

They told us they needed stronger accountability. This bill provides it, by requiring schools to meet strict benchmarks for student achievement, by providing better delivery of transition services, and by dealing with the overrepresentation of minorities in IDEA.

They told us they wanted a stronger and more flexible Individualized Education Program. This bill provides it, by requiring that every student's plan contain positive ways to support the child and to increase parental involvement.

They told us they wanted to protect students from being expelled from school because of their disability. This bill provides it, by requiring schools to determine whether a child's behavior is the result of the disability, or the lack of other supports that should have been provided.

They told us they wanted better teachers in the classroom—as well-trained as other teachers. This bill provides it, by requiring all special education teachers to be highly qualified by 2007, and by designating 100 percent of State improvement grants to support professional development of teachers.

They told us they wanted more help for their children in the transition from school to college or to work. This bill provides it, by giving greater access to the vocational rehabilitation system and taking other steps to assist the child in meeting post-secondary goals.

The debate over how best to fund these reforms goes on. Schools urgently need the resources to make the IDEA a reality. It is not enough to provide only some of the promised federal aid. We must find a way to fully fund IDEA, because every dollar lost is another child that slips through the cracks.

We will have an opportunity to debate this issue and others in our committee and in the Senate in the weeks ahead. I look forward to these debates and to working with Senator GREGG and all our colleagues to make this bill even stronger.

By Mr. ENSIGN (for himself and Mrs. LINCOLN):

S. 1249. A bill to amend title XVIII of the Social Security Act to waive the part B late enrollment penalty for military retirees who enroll December 31, 2004, and to provide a special part B enrollment period for such retirees; to the Committee on Finance.

Mr. ENSIGN. Mr. President, I ask unanimous consent that the text of ''The TRICARE Retirees Opportunity Act of 2003'' be printed in the RECORD.

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

S. 1249

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 ''The TRICARE Retirees Opportunity Act of 2003''.

SEC. 2. WAIVER OF MEDICARE PART B LATE ENROLLMENT PENALTY FOR CERTAIN MILITARY RETIREES; SPECIAL ENROLLMENT PERIOD.

(a) WAIVER OF PENALTY.—

(1) IN GENERAL.—Section 1839(b) of the Social Security Act (42 U.S.C. 1395r(b)) is amended by adding at the end the following new sentence: ''No increase in the premium shall be effected for a month in the case of an individual who is 65 years of age or older, who enrolls under this part during 2001, 2002, 2003, or 2004 and who demonstrates to the Secretary before December 31, 2004, that the individual is a covered beneficiary (as defined in section 1072(5) of title 10, United States Code). The Secretary of Health and Human Services shall consult with the Secretary of Defense in identifying individuals described in the previous sentence.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to premiums for months beginning with January 2001. The Secretary of Health and Human Services shall establish a method for providing rebates of premium penalties paid for months on or after January 2001 for which a penalty does not apply under such amendment but for which a penalty was previously collected.

(b) MEDICARE PART B SPECIAL ENROLLMENT PERIOD.—

(1) IN GENERAL.—In the case of any individual who, as of the date of the enactment of this Act, is 65 years of age or older, is eligible to enroll but is not enrolled under part B of title XVIII of the Social Security Act, and is a covered beneficiary (as defined in section 1072(5) of title 10, United States Code), the Secretary of Health and Human Services shall provide for a special enrollment period during which the individual may enroll under such part. Such period shall begin as soon as possible after the date of the enactment of this Act and shall end on December 31, 2004.

(2) COVERAGE PERIOD.—In the case of an individual who enrolls during the special enrollment period provided under paragraph (1), the coverage period under part B of title XVIII of the Social Security Act shall begin on the first day of the month following the month in which the individual enrolls.

By Mr. BURNS (for himself and Mrs. CLINTON):

S. 1250. A bill to improve, enhance, and promote the Nation's homeland security, public safety, and citizen activated emergency response capabilities through the use of enhanced 911 services, to further upgrade Public Safety Answering Point capabilities and related functions in receiving E–911 calls, and to support the construction and operation of a ubiquitous and reliable citizen activated system and other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. BURNS. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1250

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 ''Enhanced 911 Emergency Communications Act of 2003''.

SEC. 2. FINDINGS.

The Congress finds that—

(1) for the sake of our Nation's homeland security and public safety, a universal emergency telephone number (911) that is enhanced with the most modern and state-of-the-art telecommunications capabilities possible should be available to all citizens in all regions of the Nation;

(2) enhanced emergency communications require Federal, State, and local government resources and coordination;

(3) any funds that are collected from fees imposed on consumer bills for the purposes of funding 911 services or enhanced 911 should go only for the purposes for which the funds are collected; and

(4) enhanced 911 is a high national priority and it requires Federal leadership, working in cooperation with State and local governments and with the numerous organizations dedicated to delivering emergency communications services.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to coordinate emergency communications systems, including 911 services and E–911 services, at the Federal, State, and local levels;

(2) to provide stability and resources to State and local Public Safety Answering Points, to facilitate the prompt deployment of enhanced 911 services throughout the United States in a ubiquitous and reliable infrastructure; and

(3) to ensure that funds collected on telecommunications bills for enhancing emergency 911 services are used only for the purposes for which the funds are being collected.

SEC. 4. EMERGENCY COMMUNICATIONS COORDINATION.

(a) IN GENERAL.—Part C of title I of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 901 et seq.) is amended by adding at the end the following:

''SEC. 158. COORDINATION OF EMERGENCY COMMUNICATIONS.

''(a) ESTABLISHMENT OF TASK FORCE.—The Assistant Secretary shall establish an Emergency Communications Task Force to facilitate coordination between Federal, State, and local emergency communications systems,

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to coordinate emergency communications systems, including 911 services and E–911 services, at the Federal, State, and local levels;

(2) to provide stability and resources to State and local Public Safety Answering Points, to facilitate the prompt deployment of enhanced 911 services throughout the United States in a ubiquitous and reliable infrastructure; and

(3) to ensure that funds collected on telecommunications bills for enhancing emergency 911 services are used only for the purposes for which the funds are being collected.

SEC. 4. EMERGENCY COMMUNICATIONS COORDINATION.

(a) IN GENERAL.—Part C of title I of the National Telecommunicatiions and Information Administration Organization Act (47 U.S.C. 901 et seq.) is amended by adding at the end the following:

''SEC. 158. COORDINATION OF EMERGENCY COMMUNICATIONS.

''(a) ESTABLISHMENT OF TASK FORCE.—The Assistant Secretary shall establish an Emergency Communications Task Force to facilitate coordination between Federal, State, and local emergency communications systems, emergency personnel, and public safety organizations. The task force shall include the following:

''(1) Representatives from Federal agencies, including—

''(A) the Department of Justice;

''(B) the Department of Homeland Security;

''(C) the Department of Defense;

''(D) the Department of the Interior;

''(E) the Department of Transportation; and

''(F) the Federal Communications Commission;

''(2) State and local first responder agencies;

''(3) national 911 and emergency communications leadership organizations;

''(4) telecommunications industry representatives; and

''(5) other individuals designated by the Assistant Secretary.

''(b) PURPOSE OF TASK FORCE.—The task force shall provide advice and recommendations with respect to methods to improve coordination and communications between agencies and organizations involved in emergency communications, including 911 services to enhance homeland security and public safety.

''(c) REPORTS.—The Assistant Secretary shall provide an annual report to Congress by the first day of October of each year on the task force activities and make recommendations on how Federal, State, and local governments and emergency communications organizations can improve coordination and communications.

''(d) MISCELLANEOUS PROVISIONS.—Members of the task force shall serve without special compensation with respect to their activities on behalf of the task force.''.

SEC. 5. GRANTS FOR E–911 ENHANCEMENT.

Part C of title I of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 901), as amended by section 4, is amended by adding at the end:

''SEC. 159. EMERGENCY COMMUNICATIONS GRANTS.

''(a) MATCHING GRANTS.—The Assistant Secretary, after consultation with the Secretary of Homeland Security, shall provide grants to State and local governments and tribal organizations (as defined in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(l))) for the purposes of enhancing emergency communications services through planning, infrastructure improvements, equipment purchases, and personnel training and acquisition.

''(b) MATCHING REQUIREMENT.—The Federal share of the cost of a project eligible for a grant under this section shall not exceed 50 percent. The non-Federal share of the cost shall be provided from non-Federal sources.

''(c) PREFERENCE.—In providing grants under subsection (a), the Assistant Secretary shall give preference to applicants who—

''(1) coordinate their applications with the needs of their public safety answering points; and

''(2) integrate public and commercial communications services involved in the construction, delivery, and improvement of emergency communications, including 911 services.

''(d) CRITERIA.—The Assistant Secretary shall issue regulations within 180 days of the enactment of the Enhanced E–911 Emergency Communications Act of 2003, after a public comment period of not less than 60 days, prescribing the criteria for selection for grants under this section and shall update such regulations as necessary.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Assistant Secretary not more than $500,000,000 for each fiscal year for grants under this section.''.

SECTION 6. STATE AND LOCAL 911 PRACTICES.

(a) CERTIFICATION.—Part IV of title VI of the Communications Act of 1934 (47 U.S.C. 631 et seq.) is amended by adding at the end the following:

''SEC. 642. DIVERSION OF 911 FUNDS.

''(a) IN GENERAL.—

''(1) ASSESSMENT AND AUDIT.—The Commission shall review, no less frequently than twice a year—

''(A) the imposition of taxes, fees, or other charges imposed by States or political subdivisions of States that—

''(i) appear on telecommunications services customers' bills; and

''(ii) are designated or presented as dedicated to improve emergency communications services, including 911 services or enhanced 911 services, or related to emergency communications services operations or improvements; and

''(B) the use of revenues derived from such taxes, fees, or charges.

''(2) CERTIFICATION.—Each State shall certify annually to the Commission that no portion of the revenues derived from such taxes, fees, or charges have been obligated or expended for any purpose other than the purposes for which such taxes, fees, or charges are designated or presented.

''(b) NOTIFICATION OF CONGRESS AND THE PUBLIC.—If the Commission fails to receive the certification described in subsection (a)(2), then, within 30 days after the date on which such certification was due, the Commission shall cause to be published in the Federal Register, and notify the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce of—

''(1) the identity of each State or political subdivision that failed to make the certification; and

''(2) the amount of revenues obligated or expended by that State or political subdivision for any purpose other than the purposes for which such taxes, fees, or charges were designated or presented.

''(c) WITHHOLDING OF FUNDS.—Notwithstanding any other provision of law, the Assistant Secretary shall withhold any Federal grant funds that would otherwise be made available under section 159 of the National Telecommunications and Information Administration Organization Act to a State or political subdivision identified by the Commission under subsection (b)(1) in an amount not to exceed twice the amount described in subsection (b)(2). In lieu of withholding grant funds under this subsection, the Secretary may require a State or political subdivision to repay to the Secretary the appropriate amount of funds already disbursed to that State or political subdivision.''.

By Ms. MURKOWSKI:

S. 1253. A bill to amend the Internal Revenue Code of 1986 to provide a minimum credit of $200 per month for stay-at-home parents, to allow the dependent care credit to be taken against the minimum tax, and to allow a carryforward of any unused dependent care credit; to the Committee on Finance.

Ms. MURKOWSKI. Mr. President, I have come to the floor today to introduce legislation that will help many young families in America meet the financial challenges associated with raising children. The legislation I am introducing attempts to alleviate some of the financial costs incurred by the more than one out three families when one of the parents decides to leave the work force to raise children at home.

Current tax law recognizes that when both parents remain in the work force, they incur additional child care costs because, in order to keep their jobs, they have to pay for day care services. Current tax law provides a sliding scale tax credit that allows parents to claim a tax credit of up to 35 percent to offset as much as $3,000 of day care costs for one child, $6,000 for two or more children. The maximum $1,050 tax credit, $2,100 for two or more children, phase down as income rises. The minimum, 20 percent credit, applies to families with incomes above $43,000.

I strongly support this dependent care tax credit because it makes it easier for husbands and wives to maintain their careers and provide for their families. However, there are many families that have made the decision that one of the parents will give up a job in order to raise their children. In fact, this is a growing trend. In 2001, 37.7 percent of families had one parent at home raising the child; that's up from 35.3 percent in 1995. And the stay-at-home parent is, overwhelmingly, the mother. Barely 3.6 percent of stay-at-home parents are husbands.

When a working woman makes the decision to interrupt her career to raise her child, the family incurs an immediate financial penalty. And more often than not, the career interruption may damage the woman's future earnings potential, what some have referred to as the ''Mommy Track.''

The immediate loss of income when a parent leaves the workforce significantly changes the family's lifestyle. For example, consider a childless couple where the husband earns $35,000 and

the wife earns $27,000. After paying Federal income and payroll taxes, the family retains slightly more than $50,000 in disposable income. If the family has a child, and both parents continue their careers, after taxes they still will keep more than $49,000 of their earnings, even if they incur child care expenses of $3,000. However, in this example, if the father gives up his job, the family's disposable income drops by nearly 40 percent to less than $32,000. Put another way, the family's monthly income drops from $4,100 to $2,700. That's a difficult adjustment for any family, especially one that has to incur the additional costs of a newborn.

I respect the parents who choose to maintain their careers while raising a family and the parents who make the financial sacrifice to give up their careers to raise a family. But I believe the tax code should treat both equally.

My legislation attempts to alleviate the current inequity in the code by giving stay-at-home moms or dads a $200 a month tax credit. This credit would be indexed for inflation. The credit would apply until the child reaches the age of 6. While this credit could never make up the financial loss that families face when one of the parents stops working, it will provide some important financial relief to these families. In the example I cited earlier, if the father did not work for a full year, the $2,400 tax credit would completely eliminate the family's $1,500 Federal tax bill, giving the family that much more to spend on their living expenses.

In addition, under this proposal, any unused tax credits could be carried forward indefinitely. Many parents who leave the work force to raise their children return to work when their kids enter school. By allowing the carry forward of unused credits, the parent who re-enters the work force will be able to keep more of his or her earnings to make up for the financial sacrifice made when choosing to stay home with the family. I think it is only fair that society recognize the financial sacrifice these parents have made.

Congress recently acted to eliminate the marriage penalty. We should now act to eliminate the penalty imposed on families when a parent leaves the workforce to raise a child at home. It makes sense for our families and it is good tax policy.

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. 1253

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 ''Stay-At-Home Parents' Tax Credit Act of 2003''.

SEC. 2. MINIMUM CREDIT ALLOWED FOR STAY-AT-HOME PARENTS.

(a) IN GENERAL.—Section 21(e) of the Internal Revenue Code of 1986 (relating to special rules) is amended by adding at the end the following new paragraph:

''(11) MINIMUM CREDIT ALLOWED FOR STAY-AT-HOME PARENTS.—Notwithstanding subsection (d), in the case of any taxpayer with 1 or more qualifying individuals described in subsection (b)(1)(A) under the age of 6 at any time during the taxable year, such taxpayer shall be deemed to have employment-related expenses with respect to such qualifying individuals in an amount equal to the greater of—

''(A) the amount of employment-related expenses incurred for such qualifying individuals for the taxable year (determined under this section without regard to this paragraph), or

''(B) $200 for each month in such taxable year during which such qualifying individual is under the age of 6.''.

(b) CREDIT ALLOWED AGAINST MINIMUM TAX.—

(1) IN GENERAL.—Section 21(c) of the Internal Revenue Code of 1986 is amended—

(A) by striking ''The amount of'' and inserting the following:

''(1) DOLLAR LIMIT.—The amount of'', and

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

''(2) LIMITATION BASED ON AMOUNT OF TAX.—The credit allowed under subsection (a) for any taxable year shall not exceed the excess of—

''(A) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

''(B) the sum of credits allowable under this subpart (other than this section and sections 23, 24, and 25B) and section 27 for the taxable year.''.

(2) CONFORMING AMENDMENTS.—

(A) The heading of section 21(c) of such Code is amended to read ''LIMITATIONS.—''.

(B) Section 26(a)(1) of such Code is amended by inserting ''21,'' after ''sections''.

(c) CARRYFORWARD OF CREDIT.—Section 21 of the Internal Revenue Code of 1986 (relating to expenses for household and dependent care services necessary for gainful employment) is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

''(f) CARRYFORWARD OF UNUSED CREDIT.—If the credit allowable under subsection (a) for any taxable year exceeds the limitation imposed by subsection (c)(4) for such taxable year, such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such taxable year.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2003.

By Mr. KERRY:

S. 1254. A bill to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a vocational and technical entrepreneurship development program; to the Committee on Small Business and Entrepreneurship.

Mr. KERRY. Mr. President, I rise today as Ranking Member of the Committee on Small Business and Entrepreneurship to introduce the Vocational and Technical Entrepreneurship Development Act of 2003, which is the companion bill to H.R. 1387, which bears the same name and was reintroduced in the House by Congressman ROBERT BRADY of Pennsylvania earlier this year.

I want to commend Representative BRADY for his hard work on behalf of small businesses not just from his home State of Pennsylvania but for every trades industry entrepreneur that has ever attempted to open his or her own business.

Often Americans who work in the trade sector—construction, plumbing, electrical work etc.—enter these professions with the goal of one day starting a business; however many of these aspiring business owners who partake in career training or vocational training in certain trades, unfortunately, fail to obtain the necessary education in the successful growth and development of their newly formed business. This initiative would develop a program that allows workers within the trades industry to move toward starting a new business.

The purpose of the Vocational and Technical Entrepreneurship Development Act is to assist in the development of curricula that will encourage the successful growth of small businesses. This legislation passed the House last Congress on October 2, 2001 and was subsequently taken up and passed by this Committee last Congress, but was not taken up by the full Senate.

The bill, in a business-education partnership, establishes a ''vocational entrepreneurship development demonstration program,'' under which the SBA would provide grants, through the Small Business Development Centers program, to provide technical assistance to high school and technical career institutes, Vo-Tech schools, to promote small business ownership in their curriculum.

The SBDC program is designed to deliver such up-to-date counseling, training and technical assistance in all aspects of small business management and is the ideal candidate to provide such a program. Each grant awarded under this program will be worth over $200,000—which, in today's environment where Vo-Tech programs get shortchanged in government education budgets, can do a great deal to help rebuild a worker-strapped trades industry.

I urge all of my colleagues to support Vocational and Technical Entrepreneurship Development Act.

By Mr. KERRY (for himself, Mr. ENSIGN, Mr. JEFFORDS, Mr. BINGAMAN, Ms. LANDRIEU, Mr. LEAHY, Mr. MILLER, Mr. CRAIG, and Ms. STABENOW):

S. 1255. A bill to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a pilot program to provide regulatory compliance assistance to small business concerns, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Mr. KERRY. Mr. President, I am pleased to join with my distinguished colleague from Nevada, Senator JOHN ENSIGN, and the cosponsors of our legislation in reintroducing the National

Small Business Regulatory Assistance Act.

The bill we are reintroducing today is the same Cleland-Kerry legislation that was introduced last Congress, and it is the companion to Congressman SWEENEY's bill, H.R. 205, which bears the same name as our legislation. The Sweeney bill recently passed the House overwhelmingly, 417–4, with the strong support of the House Committee on Small Business, as it did in the 107th. Our Senate version, which is nearly identical to the Sweeney bill, passed the Committee on Small Business and Entrepreneurship last year but was not taken up by the full Senate. Because Senator ENSIGN and I are fully committed to helping small business owners understand and navigate complicated government regulations, we are reintroducing this legislation, the National Small Business Regulatory Assistance Act.

Small businesses, particularly small businesses with very few employees, often face an overwhelming task when seeking advice on how to comply with Federal regulations, especially when implementation varies for different regions of the country, or from state to state. Many small businesses fail to comply with important and needed labor and environmental regulations not because they want to break the law, but because they are unaware of the actions they need to take to comply. Often, small businesses are afraid to seek guidance from Federal agencies for fear of exposing problems at their businesses.

One important way to help small businesses comply with Federal regulations is to provide them with free, confidential advice outside of the normal relationship between a small business and a regulatory agency. The Small Business Administration's, SBA, Small Business Development Centers, SBDCs, are in a unique position to provide this type of assistance.

Our bill establishes a pilot program to award competitive grants to 20 selected SBDCs, two from each SBA region, which would allow these SBDCs to provide regulatory compliance assistance to small businesses. The SBA would be authorized to award grants between $150,000 and $300,000, depending on the population of the SBDC's state.

Under our legislation, the SBDCs would need to form partnerships with Federal compliance programs, conduct educational and training activities and offer free-of-charge compliance counseling to small business owners. Further, the measure would guarantee privacy to those who receive compliance assistance, which is integral to the reaching out to as many small businesses as possible. This privacy provision has also been extended to all small businesses that seek any assistance from their local SBDC.

The legislation we are reintroducing today uses only SBA funds and will serve to complement current small business development assistance as well as existing compliance assistance programs. Versions of this legislation introduced in previous Congresses used Environmental Protection Agency, EPA, enforcement funds to pay for these grants.

Small businesses can succeed when it comes to complying with Federal regulations, if provided with the necessary tools and information. The National Small Business Regulatory Assistance Act will go a long way toward assisting our Nation's small businesses that want to comply with Federal regulations.

I am pleased to say that we have the full support of the Association of Small Business Development Centers, which has been working closely with us since January of last year to draft the Senate version of this legislation, as well as support from National Small Business United, the American Industrial Hygiene Association, and Congressman SWEENEY.

I want to express my sincere thanks to Senator ENSIGN for his hard work and continued support on this issue. I urge all of my colleagues to support this legislation.

By Mr. HARKIN (for himself and Mr. LUGAR);

S. 1256. A bill to protect the critical aquifers and watersheds that serve as a principal water supply for Puerto Rico, to protect the tropical forests of the Karst Region, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. HARKIN. Mr. President, I am proud to introduce, along with Senator LUGAR, the Puerto Rico Karst Conservation Act of 2003.

This very important bill will provide protection for Puerto Rico's karst region by helping to maintain biodiversity within the tropical forest ecosystem and to protect its valuable aquifers and watersheds. The area is threatened by development which, if unabated, could cause permanent damage to its outstanding natural and environmental assets.

Karst is permeable and soluble limestone that originated millions of years ago. The land identified in the bill contains the last remnants of tropical forests that once covered the island. This area, including the habitats of many endangered and threatened species and tropical birds, is home to over 1,300 species of plants and animals.

The area also provides drinking water through subterranean aquifers to many of the island's citizens. Sixty-four percent of Puerto Rico's aquifer area is contained within the northern karst belt. This aquifer area discharges approximately 120 million gallons of water per day, of which the citizens of Puerto Rico consume 52 million gallons per day. The pharmaceutical industry is one of the mainstays of Puerto Rico's economy and it is dependent on the area's fresh water supplies as well.

An August 2001 U.S. Forest Service report, Puerto Rican Karst: A Vital Resource, documents the ecologically unique and scientifically valuable karst region, stating ''the northern limestone contains Puerto Rico's most extensive freshwater aquifer, largest continuous expanse of mature forest, and largest coastal wetlands, estuary,and underground cave system. The karst belt is extremely diverse, and its multiple land forms, concentrated in such a small area, make it unique in the world.'' It should come as no surprise, then, that Forest Service Chief dale Bosworth has expressed his strong support for the protection of the karst.

The Puerto Rico Karst Conservation Act of 2003 authorizes the Secretary of Agriculture to carry out land acquisition by using funds from a Conservation Fund created by the Act, and from the Forest Legacy Program, the Land and Water Conservation Fund and other sources. The legislation also authorizes the Secretary to make grants to and enter into agreements with the Commonwealth of Puerto Rico, other federal agencies, organizations, and corporations for the acquisition, protection, and management of land in the region. In addition, the bill makes this region eligible for inclusion under the Forest Legacy Program.

I want to thank Senator LUGAR for co-sponsoring the Puerto Rico Karst Conservation Act of 2003. His strong support for this legislation and his steadfast commitment to tropical forest conservation is invaluable. It is also important to note that Representative ACEVEDO-VILÁ and Representative DUNCAN have just introduced this measure in the House of Representatives where, I'm told, it has strong bipartisan support.

I am proud to introduce this legislation, and I urge my colleagues to support this important bill. 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. 1256

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 ''Puerto Rico Karst Conservation Act of 2003''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) in the Karst Region of the Commonwealth of Puerto Rico there are—

(A) some of the largest areas of tropical forests in Puerto Rico, with a higher density of tree species than any other area in the Commonwealth; and

(B) unique geological formations that are critical to the maintenance of aquifers and watersheds that constitute a principal water supply for much of the Commonwealth;

(2) the Karst Region is threatened by development that, if unchecked, could permanently damage the aquifers and cause irreparable damage to natural and environmental assets that are unique to the United States;

(3) the Commonwealth has 1 of the highest population densities in the United States, which makes the protection of the Karst Region imperative for the maintenance of the

public health and welfare of the citizens of the Commonwealth;

(4) the Karst Region—

(A) possesses extraordinary ecological diversity, including the habitats of several endangered and threatened species and tropical migrants; and

(B) is an area of critical value to research in tropical forest management; and

(5) coordinated efforts at land protection by the Federal Government and the Commonwealth are necessary to conserve the environmentally critical Karst Region.

(b) PURPOSES.—The purposes of this Act are—

(1) to authorize and support conservation efforts to acquire, manage, and protect the tropical forest areas of the Karst Region, with particular emphasis on water quality and the protection of the aquifers that are vital to the health and wellbeing of the citizens of the Commonwealth; and

(2) to promote cooperation among the Commonwealth, Federal agencies, corporations, organizations, and individuals in those conservation efforts.

SEC. 3. DEFINITIONS.

In this Act:

(1) COMMONWEALTH.—The term ''Commonwealth'' means the Commonwealth of Puerto Rico.

(2) FOREST LEGACY PROGRAM.—The term ''Forest Legacy Program'' means the program established under section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c).

(3) FUND.—The term ''Fund'' means the Puerto Rico Karst Conservation Fund established by section 5.

(4) KARST REGION.—The term ''Karst Region'' means the areas in the Commonwealth generally depicted on the map entitled ''Karst Region Conservation Area'' and dated March 2001, which shall be on file and available for public inspection in—

(A) the Office of the Secretary, Puerto Rico Department of Natural and Environmental Resources; and

(B) the Office of the Chief of the Forest Service.

(5) LAND.—The term ''land'' includes land, water, and an interest in land or water.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

SEC. 4. CONSERVATION OF THE KARST REGION.

(a) FEDERAL COOPERATION AND ASSISTANCE.—In furtherance of the acquisition, protection, and management of land in and adjacent to the Karst Region and in implementing related natural resource conservation strategies, the Secretary may—

(1) make grants to and enter into contracts and cooperative agreements with the Commonwealth, other Federal agencies, organizations, corporations, and individuals; and

(2) use all authorities available to the Secretary, including—

(A) the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1641 et seq.);

(B) section 1472 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3318); and

(C) section 12 of the Stevenson–Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a).

(b) FUNDING SOURCES.—The activities authorized by this section may be carried out using—

(1) amounts in the Fund;

(2) amounts in the fund established by section 4(b) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1643(b));

(3) funds appropriated from the Land and Water Conservation Fund;

(4) funds appropriated for the Forest Legacy Program; and

(5) any other funds made available for those activities.

(c) MANAGEMENT.—

(1) IN GENERAL.—Land acquired under this Act shall be managed, in accordance with the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1641 et seq.), in a manner to protect and conserve the water quality and aquifers and the geological, ecological, fish and wildlife, and other natural values of the Karst Region.

(2) FAILURE TO MANAGE AS REQUIRED.—In any deed, grant, contract, or cooperative agreement implementing this Act and the Forest Legacy Program in the Commonwealth, the Secretary may require that, if land acquired by the Commonwealth or other cooperating entity under this Act is sold or conveyed in whole or part, or is not managed in conformity with paragraph (1), title to the land shall, at the discretion of the Secretary, vest in the United States.

(d) WILLING SELLERS.—Any land acquired by the Secretary in the Karst Region shall be acquired only from a willing seller.

(e) RELATION TO OTHER AUTHORITIES.—Nothing in this Act—

(1) diminishes any other authority that the Secretary may have to acquire, protect, and manage land and natural resources in the Commonwealth; or

(2) exempts the Federal Government from Commonwealth water laws.

SEC. 5. PUERTO RICO KARST CONSERVATION FUND.

(a) ESTABLISHMENT.—There is established in the Treasury an interest bearing account to be known as the ''Puerto Rico Karst Conservation Fund''.

(b) CREDITS TO FUNDS.—There shall be credited to the Fund—

(1) amounts appropriated to the Fund;

(2) all amounts donated to the Fund;

(3) all amounts generated from the Caribbean National Forest that would, but for this paragraph, be deposited as miscellaneous receipts in the Treasury of the United States, but not including amounts authorized by law for payments to the Commonwealth or authorized by law for retention by the Secretary for any purpose;

(4) all amounts received by the Administrator of General Services from the disposal of surplus real property in the Commonwealth under subtitle I of title 40, United States Code; and

(5) interest derived from amounts in the Fund.

(c) USE OF FUND.—Amounts in the Fund shall be available to the Secretary until expended, without further appropriation, to carry out section 4.

SEC. 6. MISCELLANEOUS PROVISIONS.

(a) DONATIONS.—

(1) IN GENERAL.—The Secretary may accept donations, including land and money, made by public and private agencies, corporations, organizations, and individuals in furtherance of the purposes of this Act.

(2) CONFLICTS OF INTEREST.—The Secretary may accept donations even if the donor conducts business with or is regulated by the Department of Agriculture or any other Federal agency.

(3) APPLICABLE LAW.—Public Law 95–442 (7 U.S.C. 2269) shall apply to donations accepted by the Secretary under this subsection.

(b) RELATION TO FOREST LEGACY PROGRAM.—

(1) IN GENERAL.—All land in the Karst Region shall be eligible for inclusion in the Forest Legacy Program.

(2) COST SHARING.—The Secretary may credit donations made under subsection (a) to satisfy any cost-sharing requirements of the Forest Legacy Program.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

By Mr. COLEMAN

S. 1257. A bill to conduct statewide demonstration projects to improve health care quality and to reduce costs under the medicare program under title XVIII of the Social Security Act and to conduct a study on payment incentives and performance under the Medicare+Choice program under such title; to the Committee on Finance.

Mr. COLEMAN. Mr. President, I ask unanimous consent that the text of the bill I introduce today to improve health care quality and reduce costs under the Medicare program be printed in the RECORD.

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

S. 1257

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 ''Medicare Payment for Quality and Value Act of 2003''.

SEC. 2. DEMONSTRATION PROJECTS TO IMPROVE HEALTH CARE QUALITY AND REDUCE COSTS UNDER MEDICARE.

(a) DEFINITIONS.—In this section:

(1) DEMONSTRATION PROJECT.—The term ''demonstration project'' means a demonstration project established by the Secretary under subsection (b)(1).

(2) LOW-COST HIGH-QUALITY STATE.—The term ''low-cost high-quality State'' means a State in the top quartile of cost and quality efficiency as measured by the Centers for Medicare & Medicaid Services using 1999 program data.

(3) MEDICARE BENEFICIARY.—The term ''medicare beneficiary'' means an individual who is entitled to (or enrolled for) benefits under part A of the medicare program, enrolled for benefits under part B of the medicare program, or both (including an individual who is enrolled in a Medicare+Choice plan under part C of the medicare program).

(4) MEDICARE PROGRAM.—The term ''medicare program'' means the health benefits program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(b) DEMONSTRATION PROJECTS TO IMPROVE HEALTH CARE QUALITY AND REDUCE COSTS UNDER MEDICARE.—

(1) ESTABLISHMENT.—There is established a demonstration program under which the Secretary shall establish demonstration projects in accordance with the provisions of this section for the purpose of improving the quality of care—

(A) provided to medicare beneficiaries with high-volume and high-cost conditions; and

(B) for which payment is made under the medicare program.

(2) REWARDING QUALITY CARE.—Under the demonstration projects, the Secretary shall increase payments under the medicare program by an amount determined by the Secretary for purposes of the demonstration projects to health care providers (as defined by the Secretary) in low-cost high-quality States that demonstrate adherence to quality standards identified by the Secretary for purposes of the demonstration projects.

(c) CONDUCT OF DEMONSTRATION PROJECTS.—

(1) DEMONSTRATION AREAS.—

(A) IN GENERAL.—The Secretary shall conduct demonstration projects in low-cost high-quality States selected on the basis of proposals submitted under subparagraph (B). Each demonstration project shall be conducted on a statewide basis.

(B) PROPOSALS.—The Secretary shall accept proposals to establish the demonstration projects from entities that demonstrate an intent to include multiple public and private payers and a majority of practicing physicians in a low-cost high-quality State.

(2) DURATION.—The Secretary shall complete the demonstration projects by the date that is 5 years after the date on which the first demonstration project is implemented.

(d) REPORT TO CONGRESS.—Not later than the date that is 6 months after the date on which the demonstration projects end, the Secretary shall submit to Congress a report on the demonstration projects together with such recommendations for legislation or administrative action as the Secretary determines is appropriate.

(e) WAIVER OF MEDICARE REQUIREMENTS.—The Secretary shall waive compliance with such requirements of the medicare program to the extent and for the period the Secretary finds necessary to conduct the demonstration projects.

(f) FUNDING.—

(1) DEMONSTRATION PROJECTS.—

(A) IN GENERAL.—Subject to subparagraph (B) and paragraph (2), the Secretary shall provide for the transfer from the Federal Hospital Insurance Trust Fund under section 1817 of the Social Security Act (42 U.S.C. 1395i) and Federal Supplementary Insurance Trust Fund under section 1841 of such Act (42 U.S.C. 1395t), in such proportion as the Secretary determines appropriate, of such funds as are necessary for the costs of carrying out the demonstration projects under this section.

(B) LIMITATION.—In conducting the demonstration projects under this section, the Secretary shall ensure that the aggregate payments made by the Secretary under the medicare program do not exceed the amount which the Secretary would have paid under the medicare program if the demonstration projects under this section were not implemented.

(2) EVALUATION AND REPORT.—There are authorized to be appropriated such sums as are necessary for the purpose of developing and submitting the report to Congress under subsection (d).

SEC. 3. INSTITUTE OF MEDICINE REPORT ON PAYMENT INCENTIVES AND PERFORMANCE UNDER THE MEDICARE+CHOICE PROGRAM.

(a) STUDY.—The Secretary of Health and Human Services shall enter into an arrangement with the Institute of Medicine of the National Academy of Sciences under which the Institute shall conduct a study on clinical outcomes, performance, and quality of care under the Medicare+Choice program under part C of title XVIII of the Social Security Act.

(b) MATTERS STUDIED.—

(1) IN GENERAL.—In conducting the study under subsection (a), the Institute shall review and evaluate the public and private sector experience related to the establishment of performance measures and payment incentives. The review shall include an evaluation of the success, efficiency, and utility of structural process and performance measurements, and different methodologies that link performance to payment incentives. The review shall include the use of incentives—

(A) aimed at plans and their enrollees;

(B) aimed at providers and their patients;

(C) to encourage consumers to purchase based on quality and value; and

(D) to encourage multiple purchasers, providers, beneficiaries, and plans within a community to work together to improve performance.

(2) IDENTIFICATION OF OPTIONS.—As part of the study, the Institute shall identify options for providing incentives and rewarding performance, improve quality, outcomes, and efficiency in the delivery of programs and services under the Medicare+Choice program, including—

(A) periodic updates of performance measurements to continue rewarding outstanding performance and encourage improvements;

(B) payments that vary by type of plan, such as preferred provider organization plans and MSA plans;

(C) extension of incentives in the Medicare+Choice program to the fee for service program under title XVIII of the Social Security Act; and

(D) performance measures needed to implement alternative methodologies to align payments with performance.

(c) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Institute shall submit to Congress and the Secretary a report on the study conducted under subsection (a).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 167—RECOGNIZING THE 100TH ANNIVERSARY OF THE FOUNDING OF THE HARLEY-DAVIDSON MOTOR COMPANY, WHICH HAS BEEN A SIGNIFICANT PART OF THE SOCIAL, ECONOMIC, AND CULTURAL HERITAGE OF THE UNITED STATES AND MANY OTHER NATIONS AND A LEADING FORCE FOR PRODUCT AND MANUFACTURING INNOVATION THROUGHOUT THE 20TH CENTURY

Mr. CAMPBELL (for himself, Mr. KOHL, Mr. ALLARD, and Mr. SANTORUM) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 167

Whereas in 1903, boyhood friends, hobby designers, and tinkerers William S. Harley, then 21 years old, and Arthur Davidson, then 20 years old, completed the design and manufacture of their first motorcycle, with help from Arthur Davidson's brothers, Walter Davidson and William A. Davidson;

Whereas, also in 1903, Harley and the Davidson brothers completed 2 additional motorcycles in a makeshift ''factory'' shed in the Davidson family's backyard at the corner of 38th Street and Highland Boulevard in Milwaukee, Wisconsin;

Whereas the design features and construction quality of the early Harley-Davidson motorcycles proved significantly more innovative and durable than most other motorcycles of the era, giving Harley-Davidson a distinct competitive advantage;

Whereas in 1905, Walter Davidson won the first of many motorcycle competition events, giving rise to a strong tradition of victory in motorcycle racing that continues today;

Whereas in 1906, Harley-Davidson Motor Company constructed its first building, financed by the Davidsons' uncle James McClay, on the site of the Company's current world headquarters one block north of the Davidson home site, and manufactured 50 motorcycles that year;

Whereas in 1907, Harley-Davidson Motor Company was incorporated and its 18 employees purchased shares;

Whereas in 1908, the first motorcycle for police duty was delivered to the Detroit Police Department, beginning Harley-Davidson's long and close relationship with law enforcement agencies;

Whereas in 1909, to enhance power and performance, Harley-Davidson added a second cylinder to its motorcycle, giving birth to its hallmark 45-degree V-Twin configuration and the legendary Harley-Davidson sound;

Whereas during the years 1907 through 1913, manufacturing space at least doubled every year, reaching nearly 300,000 square feet by 1914;

Whereas Arthur Davidson, during Harley-Davidson's formative years, set up a worldwide dealer network that would serve as the focal point of the company's ''close to the customer'' philosophy;

Whereas Harley-Davidson, early in its history began marketing motorcycles as a sport and leisure pursuit, thus laying the groundwork for long-term prosperity;

Whereas in 1916, Harley-Davidson launched ''The Enthusiast'' magazine, which today is the longest running continuously published motorcycle magazine in the world;

Whereas also in 1916, Harley-Davidson motorcycles saw their first military duty in skirmishes in border disputes along the United States border with Mexico;

Whereas in World War I, Harley-Davidson supplied 17,000 motorcycles for dispatch and scouting use by the Allied armed forces, and whereas the first Allied soldier to enter Germany after the signing of the Armistice was riding a Harley-Davidson motorcycle;

Whereas by 1920, Harley-Davidson was the world's largest motorcycle manufacturer, both in terms of floor space and production, with continual engineering and design innovation;

Whereas during the Great Depression of the 1930s, the company survived when all but 1 other domestic motorcycle manufacturer failed, on the strength of its product quality, the loyalty of its employees, dealers, and customers, steady police and commercial business, and a growing international presence;

Whereas in 1936, Harley-Davidson demonstrated foresight, resolve, and faith in the future by introducing the company's first overhead valve engine, the ''Knucklehead'' as it would come to be known, on its Model EL motorcycle, thus establishing the widely recognized classic Harley Davidson look and the company's reputation for styling;

Whereas Harley-Davidson workers in 1937 elected to be represented by the United Auto Workers of America, thus launching a proud tradition of working with Harley-Davidson to further build the company through advocacy and the development of effective programs and policies;

Whereas William H. Davidson, son of the late founder William A. Davidson, became president of Harley-Davidson in 1942 and would lead the company until 1971;

Whereas Harley-Davidson built more than 90,000 motorcycles for United States and Allied armed forces use during World War II, earning 4 Army-Navy ''E'' Awards for excellence in wartime production;

Whereas Harley-Davidson, during the 1950s and 1960s, recharged its sales and popularity with new models, including the Sportster and the Electra Glide, new engines, and other technological advances;

Whereas the Company developed the concept of the ''factory custom'' motorcycle with the 1971 introduction of the Super Glide and the 1977 Low Rider, under the design leadership of William ''Willie G'' Davidson,