

from Illinois (Mr. FITZGERALD) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 2207, a bill to improve women's access to health care services, and the access of all individuals to emergency and trauma care services, by reducing the excessive burden the liability system places on the delivery of such services.

S. 2212

At the request of Ms. COLLINS, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 2212, a bill to amend title VII of the Tariff Act of 1930 to provide that the provisions relating to countervailing duties apply to nonmarket economy countries.

S. 2244

At the request of Mrs. HUTCHISON, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 2244, a bill to protect the public's ability to fish for sport, and for other purposes.

S. 2261

At the request of Mr. DEWINE, the name of the Senator from Louisiana (Mr. BREAU) was added as a cosponsor of S. 2261, a bill to expand certain preferential trade treatment for Haiti.

S. 2262

At the request of Mr. BINGAMAN, the names of the Senator from New Hampshire (Mr. GREGG), the Senator from South Dakota (Mr. JOHNSON), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Arkansas (Mr. PRYOR) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 2262, a bill to provide for the establishment of campaign medals to be awarded to members of the Armed Forces who participate in Operation Enduring Freedom or Operation Iraqi Freedom.

S. 2267

At the request of Ms. SNOWE, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 2267, a bill to amend section 29(k) of the Small Business Act to establish funding priorities for women's business centers.

S. 2270

At the request of Mr. DEWINE, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2270, a bill to amend the Sherman Act to make oil-producing and exporting cartels illegal.

S. 2273

At the request of Mr. MCCAIN, the names of the Senator from Texas (Mrs. HUTCHISON), the Senator from Illinois (Mr. FITZGERALD), the Senator from Hawaii (Mr. INOUE), the Senator from Louisiana (Mr. BREAU), the Senator from North Dakota (Mr. DORGAN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 2273, a bill to provide increased rail transportation security.

S. CON. RES. 83

At the request of Mr. BIDEN, the names of the Senator from Indiana

(Mr. LUGAR) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. Con. Res. 83, a concurrent resolution promoting the establishment of a democracy caucus within the United Nations.

S. RES. 221

At the request of Mr. SARBANES, the names of the Senator from North Carolina (Mrs. DOLE), the Senator from Georgia (Mr. MILLER), the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Missouri (Mr. BOND) were added as cosponsors of S. Res. 221, a resolution recognizing National Historically Black Colleges and Universities and the importance and accomplishments of historically Black colleges and universities.

S. RES. 298

At the request of Mr. CAMPBELL, the names of the Senator from South Dakota (Mr. DASCHLE), the Senator from Utah (Mr. HATCH) and the Senator from New Jersey (Mr. CORZINE) were added as cosponsors of S. Res. 298, a resolution designating May 2004 as "National Cystic Fibrosis Awareness Month".

S. RES. 311

At the request of Mr. BROWNBAC, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Georgia (Mr. MILLER) were added as cosponsors of S. Res. 311, a resolution calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Father Thadeus Nguyen Van Ly, and for other purposes.

S. RES. 317

At the request of Mr. HAGEL, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 317, a resolution recognizing the importance of increasing awareness of autism spectrum disorders, supporting programs for increased research and improved treatment of autism, and improving training and support for individuals with autism and those who care for individuals with autism.

S. RES. 328

At the request of Mr. NELSON of Florida, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. Res. 328, a resolution expressing the sense of the Senate regarding the continued human rights violations committed by Fidel Castro and the Government of Cuba.

S. RES. 330

At the request of Mr. WYDEN, the names of the Senator from California (Mrs. BOXER), the Senator from New Jersey (Mr. CORZINE), the Senator from Connecticut (Mr. DODD), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Florida (Mr. NELSON), the Senator from Rhode Island (Mr. REED) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. Res. 330, a resolution expressing the sense of the Senate that the President should communicate to the members of the Organization of Petroleum Exporting Countries ('OPEC') car-

tel and non-OPEC countries that participate in the cartel of crude oil producing countries the position of the United States in favor of increasing world crude oil supplies so as to achieve stable crude oil prices.

AMENDMENT NO. 2918

At the request of Mrs. CLINTON, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of amendment No. 2918 intended to be proposed to S. 1637, a bill to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes.

AMENDMENT NO. 2945

At the request of Mrs. BOXER, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of amendment No. 2945 proposed to H.R. 4, a bill to reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. NELSON of Nebraska (for himself and Mr. BROWNBAC):

S. 2284. A bill to expand the medicare rural community hospital demonstration program to include outpatient services; to the Committee on Finance.

Mr. NELSON of Nebraska. Mr. President, today I introduce legislation to continue the relief to six hospitals in Nebraska that have been struggling financially under the current Medicare payment structure.

Local hospitals can best meet the unique needs of rural communities which is why I am committed to ensuring that these hospitals have the resources they need. Vital services like hospitals are increasingly important for the survival of our rural communities. Towns can't adequately serve residents—or attract new residents—without access to basic services. We need to focus on ensuring that hospitals and other vital services have the resources they need, so that communities will have the essential services they require.

Last year, Senator BROWNBAC and I proposed legislation to provide cost-based reimbursement for rural community hospitals. Rural Community Hospitals (RCH) are hospitals with between 25-50 beds. Those hospitals had been adversely affected by Medicare formulas that set rates for reimbursement nationwide. These rates did not take into account the higher costs of practicing medicine in rural areas as these areas do not have the benefits of volume that larger hospitals enjoy. RCHs are also too large to qualify for critical access designation given to hospitals with fewer than 25 beds.

I am pleased that provisions from this legislation were included in the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 as a pilot program. The program provided cost-based reimbursements for inpatient services.

The legislation Senator BROWNBACK and I are introducing today will expand the pilot program to cover outpatient services as well. This legislation will again address a critical shortcoming in current reimbursement practices and help Rural Community Hospitals serve their communities and invest in the future of rural health care.

Six Nebraska hospitals would be affected by expanding the scope of the pilot program. Those hospitals are: Beatrice Community Hospital, Columbus Community Hospital, McCook Community Hospital, Jennie Melham Memorial Medical Center in Broken Bow, Phelps Memorial Health Center in Holdrege, and Tri County Hospital in Lexington.

We made some progress for our rural hospitals by creating the RCH pilot program last year. This legislation would expand on that victory by ensuring that all Medicare treatments, whether inpatient or outpatient, would receive cost-based reimbursement. Expanding this program will make a big difference to these hospitals and more importantly, the patients they serve.

By Mr. HATCH (for himself and Mr. BENNETT):

S. 2285. A bill to direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah; to the Committee on Energy and Natural Resources.

Mr. HATCH. Mr. President, I rise today to introduce a bill that would direct the Secretary of the Interior to convey a parcel of property to Beaver County, UT. This bill would allow Beaver County in Southwestern Utah to obtain and maintain, without restrictions, the former Minersville State Park. In sum, this bill is necessary to allow County officials to sell a small portion of this land—which has essentially been under their control for over 40 years—in order to offset funding needed to maintain the remainder of the park.

Some history might be beneficial at this point. In 1961, Beaver County obtained a lease for 207 acres of land from the Bureau of Land Management (BLM) to develop a recreational locale under the Recreation and Public Purposes Act. In 1963, Beaver County turned over the acreage to the State for the development of a park. Over the course of nearly 40 years, the State of Utah spent about one million dollars to develop campsites, a boat ramp, a dock, and other camping amenities to turn this area into the Minersville Reservoir State Park. In 2002, in an endeavor to reduce operating costs, Utah State Parks transferred control of the area back over to Beaver County. As County officials stated during negotia-

tions, in order for Beaver County to afford management of the day to day operations of the would-be county park, they would need to sell some of the property to private investors. However, it was not until after park management responsibility was transferred to the county that the BLM pointed out that the state had not yet acquired the property through the Recreation and Public Purposes Act process. The plan for Beaver County to sell some of the land to pay for park operation, however, is not allowed under the Recreation and Public Purposes Act lease, which only allows the property to be developed for recreation or other purposes. The only way for Beaver County to undertake responsibility for park is to remove the current Federal restrictions on the property.

Today, Beaver County faces financial constraints in operating this park that threaten its continued use. Due to the prevailing restrictions in the Recreation and Public Purposes Act lease, initiated more than 40 years ago, the good people of southern Utah and visitors to the area will not be able to access and enjoy this county park. The campsites would be littered and unkept. The boat ramp and the boat docks would have to be closed. The park would become a destitute recreation area, because there would be no one to administer park maintenance and upkeep. The only public access to Minersville Reservoir, which features a converted blue ribbon trout fishery, would go to waste because of the Federal government's current Recreation and Public Purposes Act lease restriction.

I don't believe that letting management of the park revert to the BLM is a viable option either. The intensive, day to day management this small park requires can be best accomplished to local officials. If Beaver County acquires the property, it will continue to make this park an excellent recreational refuge, a superb fishery, and a great place to visit. Beaver County will be able to provide a clean and safe park enjoyed by all who visit. That is why I am introducing this legislation this legislation that would convey the Minersville Park land to Beaver County.

I thank the Senate for the opportunity to address this issue today, and I urge my colleagues to support this legislation.

By Ms. COLLINS:

S. 2288. A bill to amend the Public Health Service Act to assist States in establishing, maintaining, and improving systems to reduce the diversion and abuse of prescription drugs; to the Committee on Health, Education, Labor, and Pensions.

Ms. COLLINS. Mr. President, the abuse of prescription drugs has reached epidemic proportions in this country. In many States, including my home State of Maine, deaths from prescription drug overdoses now exceed deaths

from illicit drugs. Nationwide, emergency room visits for prescription drug problems more than doubled in the last decade.

The number of Americans who divert prescription drugs from their intended purposes and abuse them was estimated at 4 million in 1998. Today, the estimate is 11 million Americans. At a time when, according to the National Institute on Drug Abuse, our young people are turning away from marijuana, cocaine, ecstasy, and even alcohol, they unfortunately are turning to the medicine cabinet.

Nearly one in five of our Nation's high school juniors and seniors say they abuse prescription drugs.

The cost of drug abuse to our society in treatment, health care, lost productivity, crime, and incarceration exceeds \$150 billion a year. The cost to its victims is incalculable. That is why today I am introducing the Prescription Drug Stewardship Act. I use the word "stewardship" to emphasize our responsibility as individuals and as a society to see that these beneficial medications are used for their intended purposes, not to cause addiction, disability, and even death.

This legislation attacks the spiraling cycle of diversion and abuse with three key stewardship activities:

First, computerized prescription drug systems to better track the flow of medications.

Second, ongoing practitioner training to help our busy medical professionals keep current with the trends in diversion treatment and abuse.

Third, and perhaps most important, public education to help our citizens better understand the dangers posed by the misuse of these drugs.

I have found in talking with experts in this field that many individuals who would never think of trying heroin, for example, will take leftover prescription drugs that may, in the long run, be equally addictive and just as harmful.

Combined with improved and more accessible substance abuse treatment programs, the legislation I am introducing would help to stem the rising tide of abuse and addiction that has swamped families and weakened communities in my State and across the country.

My bill would authorize per year for each of the next 3 years to fund prescription drug monitoring and education programs at the State level. It would create competitive grant programs which would be administered by the Substance Abuse and Mental Health Services Administration. They would require States to demonstrate their commitment to stewardship with matching funds and also to meet the privacy requirements under current law as they carry out these important activities.

What we have found is that the most abused medications are those that relieve pain and anxiety. For millions of legitimate patients suffering from illness or injury, these medicines are

vital and their availability is proper and humane. They can make the difference between suffering and the ability to carry on with a normal life for people who are in serious pain or suffering from serious disease or injury. It is tragically clear, however, that these medications, many of them as powerful or as addictive as illegal drugs, increasingly are being diverted from their legitimate use to trafficking and abuse.

I want to emphasize that the problems is not with these medications when they are prescribed, dispensed, and consumed responsibly. In fact, we know that pain is still undertreated in this country, and that most physicians are extremely responsible in trying to relieve pain felt by their patients. The problem is what happens when the chain of responsibility breaks.

Oversight of the licensing and practices for prescribing and dispensing of these medications has long been a matter of State jurisdiction. As a former State regulator who was in charge of licensing boards for physicians and pharmacists, for example, I certainly have no desire to change that system. The States have not shirked their stewardship responsibility. They simply have been overwhelmed by this epidemic of diversion and abuse, and they need some Federal assistance, not to take over their programs, but to help them in a partnership to make them more effective.

This national calamity has hit rural States particularly hard. The Presiding Officer's home State of North Carolina is one of those States that has felt the devastating impact of this epidemic. Kentucky, Virginia, West Virginia all report prescription drug abuse at epidemic levels. But no State, unfortunately, has been hit harder than my State of Maine.

From 1997 to 2002, the number of accidental deaths in Maine from all drugs soared from 19 to 126, an increase of more than 500 percent, and prescription drugs were present in 60 percent of these deaths.

The 2002 Main Youth Drug and Alcohol Survey found that a disturbing 25 percent of my State's high school juniors and seniors abuse prescription drugs. That is an astonishing number and a very disturbing statistic. In the last 5 years, enrollment in Main clinics that treat opiate addiction has increased tenfold.

These shocking numbers from Main demonstrate that drug abuse and addiction is not longer a big-city problem. It is a problem that afflicts our citizens no matter where they live, whether it is Los Angeles, CA, or Calais, ME. In fact, a hearing I helped put together last year demonstrated that there is a terrible problem in Washington County in Downeast, ME. Some estimates are that as many as 1,000 of the citizens of this county of only 35,000 citizens are struggling with drug addiction and abuse. This was a hearing before the HELP Committee. It ac-

tually was 2 years ago. But last August, I chaired a committee meeting of the Governmental Affairs Committee in Bangor, ME, where we heard from law enforcement officers, from drug treatment counselors, and from many others who are expert in drug addiction and abuse. The picture they painted was a startling one. It showed that drug abuse, and abuse of prescription drugs in particular, is a problem throughout the entire State of Maine.

My legislation would provide States, such as Maine, with the resources to carry out three critical stewardship activities. The first would help States to monitor the flow of prescription drugs from practitioner to pharmacy to patient. We know that prescription drugs often find their way to the street when unscrupulous individuals obtain multiple prescriptions from multiple doctors. These so-called doctor shoppers operate in every State. Sometimes they act alone and sometimes they act in concert with organized gangs of criminals. Each can divert hundreds, even thousands, of pills per day. Many of these drugs have a street value 10 times the cost at the pharmacy.

Twenty States now have prescription tracking systems. Maine began operating such a system or putting it together just this summer. About half of these systems use the latest computer technology and have proven that illegal diversion can be curtailed without reducing access to these medications by legitimate patients and without breaching that essential doctor-patient confidentiality.

We want to make sure any system we put in place does not chill a doctor's ability to prescribe legitimate medication for patients who are suffering and need help with their pain.

These systems have also demonstrated an effective prescription drug system more than pays for itself by reducing the tremendous costs associated with drug abuse and addiction. Thirty States, however, have no system whatsoever for monitoring or tracking prescription drugs in a way that would help us identify and put a stop to doctor shopping. My legislation would provide the States with the resources to start up such a system to help improve its quality or to maintain it.

The testimony I heard last August in Bangor, ME, before the Governmental Affairs Committee, along with my colleague Senator SUNUNU, provided the basis not only for that provision of our bill but also for two others. The testimony we heard that day from those who are on the front lines, law enforcement, hospital emergency room physicians, and treatment clinic personnel, was alarming. They told us medical practitioners need our help. Our doctors, our physician assistants, our nurses are busy professionals, often far too busy. Many simply do not have the time to travel to seminars where they would receive information about the latest trends in drug abuse, learn how

to recognize drug-seeking behavior, dependence, or addiction among their patients. The most effective and efficient way to provide that kind of training to medical personnel is to take the education to them through one-on-one small group mentoring in their offices or in their hospitals.

The second part of my legislation would provide grants for such mentoring projects so practitioners with special training in drug abuse issues can pass along this vital knowledge to their colleagues who are practicing in communities all over America. Experts also tell us a major reason so many Americans with no history of abusing illegal drugs now are abusing prescriptions drugs is many people have a terrible misconception that these prescription drugs are somehow safe to abuse, that it is safe to take someone else's prescription. After all, they think they are researched in high-tech laboratories, manufactured in modern factories, prescribed and dispensed by highly trained medical experts; therefore, they must be safe. When they are used properly, they are, but as the overdose and addiction statistics prove, when used improperly they can be fatal.

We need an aggressive public education campaign to warn our citizens about the dangers of abusing prescription drugs. The reduction in smoking rates, in illicit drug use, even in drunk-driving deaths is testament to the progress we can make with seemingly intractable problems when we commit the resources for public education campaigns in partnership with the States. I believe the same approach can help our citizens become better stewards of prescription medications.

I urge my colleagues to join me in support of the legislation I am introducing today to address the increasingly devastating problem of prescription drug abuse.

By Mr. SESSIONS:

S. 2289. A bill to amend title 18, United States Code, to combat terrorism against railroad carriers and mass transportation systems on land, on water, or through the air, and for other purposes; to the Committee on the Judiciary.

Mr. SESSIONS. 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. 2289

*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 "Railroad Carriers and Mass Transportation Protection Act of 2004".

#### SEC. 2. ATTACKS AGAINST RAILROAD CARRIERS AND MASS TRANSPORTATION SYSTEMS.

(a) IN GENERAL.—Chapter 97 of title 18, United States Code, is amended by striking sections 1992 through 1993 and inserting the following:

**“§ 1992. Terrorist attacks and other violence against railroad carriers and against mass transportation systems on land, on water, or through the air**

“(a) GENERAL PROHIBITIONS.—Whoever, in a circumstance described in subsection (c), knowingly—

“(1) wrecks, derails, sets fire to, or disables railroad on-track equipment or a mass transportation vehicle;

“(2) with intent to endanger the safety of any passenger or employee of a railroad carrier or mass transportation provider, or with a reckless disregard for the safety of human life, and without previously obtaining the permission of the railroad carrier—

“(A) places any biological agent or toxin, destructive substance, or destructive device in, upon, or near railroad on-track equipment or a mass transportation vehicle; or

“(B) releases a hazardous material or a biological agent or toxin on or near the property of a railroad carrier or mass transportation provider;

“(3) sets fire to, undermines, makes unworkable, unusable, or hazardous to work on or use, or places any biological agent or toxin, destructive substance, or destructive device in, upon, or near any—

“(A) tunnel, bridge, viaduct, trestle, track, electromagnetic guideway, signal, station, depot, warehouse, terminal, or any other way, structure, property, or appurtenance used in the operation of, or in support of the operation of, a railroad carrier, without previously obtaining the permission of the railroad carrier, and with intent to, or knowing or having reason to know such activity would likely, derail, disable, or wreck railroad on-track equipment; or

“(B) garage, terminal, structure, track, electromagnetic guideway, supply, or facility used in the operation of, or in support of the operation of, a mass transportation vehicle, without previously obtaining the permission of the mass transportation provider, and with intent to, or knowing or having reason to know such activity would likely, derail, disable, or wreck a mass transportation vehicle used, operated, or employed by a mass transportation provider;

“(4) removes an appurtenance from, damages, or otherwise impairs the operation of a railroad signal system or mass transportation signal or dispatching system, including a train control system, centralized dispatching system, or highway-railroad grade crossing warning signal, without authorization from the rail carrier or mass transportation provider;

“(5) with intent to endanger the safety of any passenger or employee of a railroad carrier or mass transportation provider or with a reckless disregard for the safety of human life, interferes with, disables, or incapacitates any dispatcher, driver, captain, locomotive engineer, railroad conductor, or other person while the person is employed in dispatching, operating, or maintaining railroad on-track equipment or a mass transportation vehicle;

“(6) engages in conduct, including the use of a dangerous weapon, with the intent to cause death or serious bodily injury to any person who is on the property of a railroad carrier or mass transportation provider that is used for railroad or mass transportation purposes;

“(7) conveys false information, knowing the information to be false, concerning an attempt or alleged attempt that was made, is being made, or is to be made, to engage in a violation of this subsection; or

“(8) attempts, threatens, or conspires to engage in any violation of any of paragraphs (1) through (8);

shall be fined under this title or imprisoned not more than 20 years, or both.

“(b) AGGRAVATED OFFENSE.—Whoever commits an offense under subsection (a) of this section in a circumstance in which—

“(1) the railroad on-track equipment or mass transportation vehicle was carrying a passenger or employee at the time of the offense;

“(2) the railroad on-track equipment or mass transportation vehicle was carrying high-level radioactive waste or spent nuclear fuel at the time of the offense;

“(3) the railroad on-track equipment or mass transportation vehicle was carrying a hazardous material at the time of the offense that—

“(A) was required to be placarded under subpart F of part 172 of title 49, Code of Federal Regulations; and

“(B) is identified as class number 3, 4, 5, 6.1, or 8 and packing group I or packing group II, or class number 1, 2, or 7 under the hazardous materials table of section 172.101 of title 49, Code of Federal Regulations; or

“(4) the offense results in the death of any person;

shall be fined under this title or imprisoned for any term of years or life, or both. In the case of a violation described in paragraph (2), the term of imprisonment shall be not less than 30 years; and, in the case of a violation described in paragraph (4), the offender shall be fined under this title and imprisoned for life and be subject to the death penalty.

“(c) CIRCUMSTANCES REQUIRED FOR OFFENSE.—A circumstance referred to in subsection (a) is any of the following:

“(1) Any of the conduct required for the offense is, or, in the case of an attempt, threat, or conspiracy to engage in conduct, the conduct required for the completed offense would be, engaged in, on, against, or affecting a mass transportation provider or railroad carrier engaged in or affecting interstate or foreign commerce.

“(2) Any person travels or communicates across a State line in order to commit the offense, or transports materials across a State line in aid of the commission of the offense.

“(d) NONAPPLICABILITY.—Subsection (a) does not apply to the conduct with respect to a destructive substance or destructive device that is also classified under chapter 51 of title 49 as a hazardous material in commerce if the conduct—

“(1) complies with chapter 51 of title 49 and regulations, exemptions, approvals, and orders issued under that chapter, or

“(2) constitutes a violation, other than a criminal violation, of chapter 51 of title 49 or a regulation or order issued under that chapter.

“(e) DEFINITIONS.—In this section—

“(1) the term ‘biological agent’ has the meaning given to that term in section 178(1);

“(2) the term ‘dangerous weapon’ means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, including a pocket knife with a blade of less than 2½ inches in length and a box cutter;

“(3) the term ‘destructive device’ has the meaning given to that term in section 921(a)(4);

“(4) the term ‘destructive substance’ means an explosive substance, flammable material, infernal machine, or other chemical, mechanical, or radioactive device or material, or matter of a combustible, contaminative, corrosive, or explosive nature, except that the term ‘radioactive device’ does not include any radioactive device or material used solely for medical, industrial, research, or other peaceful purposes;

“(5) the term ‘hazardous material’ has the meaning given to that term in chapter 51 of title 49;

“(6) the term ‘high-level radioactive waste’ has the meaning given to that term in section 2(12) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(12));

“(7) the term ‘mass transportation’ has the meaning given to that term in section 5302(a)(7) of title 49, except that the term includes school bus, charter, and sightseeing transportation;

“(8) the term ‘on-track equipment’ means a carriage or other contrivance that runs on rails or electromagnetic guideways;

“(9) the term ‘railroad on-track equipment’ means a train, locomotive, tender, motor unit, freight or passenger car, or other on-track equipment used, operated, or employed by a railroad carrier;

“(10) the term ‘railroad’ has the meaning given to that term in chapter 201 of title 49;

“(11) the term ‘railroad carrier’ has the meaning given to that term in chapter 201 of title 49;

“(12) the term ‘serious bodily injury’ has the meaning given to that term in section 1365;

“(13) the term ‘spent nuclear fuel’ has the meaning given to that term in section 2(23) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(23));

“(14) the term ‘State’ has the meaning given to that term in section 2266;

“(15) the term ‘toxin’ has the meaning given to that term in section 178(2); and

“(16) the term ‘vehicle’ means any carriage or other contrivance used, or capable of being used, as a means of transportation on land, on water, or through the air.”.

(b) CONFORMING AMENDMENTS.—

(1) The table of sections at the beginning of chapter 97 of title 18, United States Code, is amended—

(A) by striking “RAILROADS” in the chapter heading and inserting “RAILROAD CARRIERS AND MASS TRANSPORTATION SYSTEMS ON LAND, ON WATER, OR THROUGH THE AIR”;

(B) by striking the items relating to sections 1992 and 1993; and

(C) by inserting after the item relating to section 1991 the following:

“1992. Terrorist attacks and other violence against railroad carriers and against mass transportation systems on land, on water, or through the air.”.

(2) The table of chapters at the beginning of part I of title 18, United States Code, is amended by striking the item relating to chapter 97 and inserting the following:

“97. Railroad carriers and mass transportation systems on land, on water, or through the air ..... 1991”.

(3) Title 18, United States Code, is amended—

(A) in section 2332b(g)(5)(B)(i), by striking “1992 (relating to wrecking trains), 1993 (relating to terrorist attacks and other acts of violence against mass transportation systems),” and inserting “1992 (relating to terrorist attacks and other acts of violence against railroad carriers and against mass transportation systems on land, on water, or through the air);”;

(B) in section 2339A, by striking “1993,”; and

(C) in section 2516(1)(c) by striking “1992 (relating to wrecking trains),” and inserting “1992 (relating to terrorist attacks and other acts of violence against railroad carriers and against mass transportation systems on land, on water, or through the air);”.

## SUBMITTED RESOLUTIONS

## SENATE RESOLUTION 322—OBSERVING THE TENTH ANNIVERSARY OF THE RWANDAN GENOCIDE OF 1994

Mr. FEINGOLD submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 332

Whereas 10 years ago, during a 3-month period in 1994, 800,000 Rwandans were killed in an organized campaign of genocide that targeted ethnic Tutsis and political moderates;

Whereas the United Nations Assistance Mission for Rwanda was dramatically scaled back as the genocide occurred;

Whereas by mid-July 2004, 2,000,000 Rwandans became refugees and another 1,000,000 were internally displaced due to the genocide and civil war;

Whereas in 1994, the United Nations Security Council established the International Criminal Tribunal for Rwanda to hold accountable those responsible for the atrocities;

Whereas in March 1998, President William Jefferson Clinton acknowledged that “we in the United States and the world community did not do as much as we could have and should have done to try to limit what occurred in Rwanda in 1994”;

Whereas in 1999, the Independent Inquiry into the Actions of the United Nations during the 1994 Genocide in Rwanda found that “the failure by the United Nations to prevent, and subsequently, to stop the genocide in Rwanda was a failure by the United Nations system as a whole”;

Whereas the Rwandan genocide and its aftermath played a significant part in the destabilization of the entire Great Lakes region over the last decade; and

Whereas today, the vast majority of Rwandan refugees have returned to their country, and the Government of Rwanda is working to address the backlog of genocide-related cases awaiting trial through the formal justice sector and through community-based gacaca courts: Now, therefore, be it

*Resolved*, That the Senate—

(1) solemnly observes the tenth anniversary of the Rwandan genocide of 1994;

(2) recognizes and is saddened by the failure of the international community, including the United States, to prevent the genocide;

(3) reaffirms its commitment to the Convention on the Prevention and Punishment of the Crime of Genocide, done at Paris on December 9, 1948;

(4) supports ongoing efforts to educate the people of the United States and of the world about the Rwandan genocide;

(5) commits to continuing efforts to strengthen institutions working to bring to justice those responsible for the genocide; and

(6) urges the President and the international community to seize on the occasion of this anniversary to focus attention on the future of Rwanda, and to support the people of Rwanda so that they may—

(A) be free from the fear of ethnic violence, mob violence, or state-sponsored violence;

(B) enjoy full civil and political rights and feel free to voice legitimate disagreements honestly and publicly without fear of violence or intimidation;

(C) have confidence in the independence of the judiciary and the rule of law in Rwanda; and

(D) experience sustained economic growth and development that improves the standard of living in Rwanda.

Mr. FEINGOLD. Mr. President, I rise today to submit a resolution commemorating the 10th anniversary of the 1994 Rwandan genocide. Ten years ago, a deliberate, centrally-planned, and organized campaign of violence was set in motion, and eventually it took the lives of some 800,000 Rwandans. The campaign targeted ethnic Tutsis, but also ethnic Hutus who espoused moderate political beliefs and paid for their commitment to equal rights for all Rwandans with their lives. Millions were displaced, and the institutions and infrastructure of the country were shattered.

As this horror unfolded, the international community, including the United States, failed to act. The United Nations Mission for Rwanda was scaled down when the massacres started rather than being reinforced. The U.S. engaged in semantic strategies of avoidance, referring to massacres and atrocities and finally “acts of genocide,” but refusing to acknowledge the truth for fear it should make plain our responsibility.

If some of the Rwandan voices that will be heard during this time of commemoration and reflection sound angry, well, we have to accept that their anger is justified. The world had said “never again” to genocide. And then we abandoned the people of Rwanda to an unspeakable national nightmare.

Today, the people of Rwanda still struggle to cope with the legacy of the genocide, with the trauma of their national experience, and with the search for justice and accountability. And they still struggle with fear.

The United States can and should insist that those who devised and implemented the plan for genocide be held accountable for their actions. Four years ago I was proud to introduce legislation that extended the Rewards for Justice program, so that today the U.S. is helping to track down those who have been indicted by the International Criminal Tribunal for Rwanda and are still at large. In addition, we can and do assist the Government of Rwanda in strengthening its own capacity to address the backlog of genocide-related cases awaiting trial, sometimes through the formal justice system, and sometimes through the community-based gacaca courts.

But today I want to urge my colleagues to seize on this moment not only to reflect on the past, not only to honor the dead, but to think about the future and to care for the living. And the people of Rwanda today do need assistance. Too many Rwandans live in a context of crushing poverty. Approximately 9 percent of the adult population is HIV positive, and life expectancy is about 40 years. There is much development work yet to be done.

In Rwanda today, basic human rights are still not guaranteed. The most re-

cent State Department human rights report on Rwanda makes reference to “politically motivated disappearances; arbitrary arrest and detention, particularly of opposition supporters.”

No one with even a cursory grasp of Rwanda’s history could fault the government for being sensitive to ethnically divisive forces. But, not all dissent is divisive, and history teaches us that imposing order alone is not enough to guarantee stability and security. Order without justice tends to crumble. Suppressing legitimate disagreements, allowing intimidation to silence citizens—these acts undermine security rather than enhance it. The people of Rwanda, including the leadership of the country, find themselves in a tremendously difficult position. I can imagine, but I cannot know, the challenges of governing in the wake of a tragedy of this magnitude. But I do know that those of us in the international community only compound our past mistakes when we do not interest ourselves in the future of the Rwandan people today, when we do not concern ourselves with freeing the next generation from fear.

I urge my colleagues to support this resolution of solemn commemoration. It acknowledges the terrible past, but it also expresses hope for the future. The people of Rwanda have picked themselves up and have set about rebuilding their lives and their country. The world failed them ten years ago. Let us resolve not to fail them again.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 3016. Mr. SPECTER submitted an amendment intended to be proposed to amendment SA 3011 proposed by Mr. FRIST to the bill S. 1637, to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes; which was ordered to lie on the table.

SA 3017. Mr. SANTORUM submitted an amendment intended to be proposed to amendment SA 3011 proposed by Mr. FRIST to the bill S. 1637, supra; which was ordered to lie on the table.

SA 3018. Mr. SANTORUM submitted an amendment intended to be proposed to amendment SA 3011 proposed by Mr. FRIST to the bill S. 1637, supra; which was ordered to lie on the table.

SA 3019. Mr. SANTORUM submitted an amendment intended to be proposed to amendment SA 3011 proposed by Mr. FRIST to the bill S. 1637, supra; which was ordered to lie on the table.

SA 3020. Mr. SANTORUM submitted an amendment intended to be proposed to amendment SA 3011 proposed by Mr. FRIST to the bill S. 1637, supra; which was ordered to lie on the table.

SA 3021. Mr. SANTORUM submitted an amendment intended to be proposed to amendment SA 3011 proposed by Mr. FRIST to the bill S. 1637, supra; which was ordered to lie on the table.

SA 3022. Mr. SANTORUM submitted an amendment intended to be proposed to amendment SA 3011 proposed by Mr. FRIST