

distributors, and manufacturers of prescription drugs.

I want to be clear on an important point: importing prescription drugs from other countries will not solve the problem of rising drug prices. Our market for prescription drugs is so large that we can not import enough lower-priced medications from other countries to make a significant impact on prices here.

There are many other ways that Congress is helping Americans afford their prescription medications. Just yesterday, for instance, the new Medicare drug discount cards went into effect. The cards offer savings of 10 to 25 percent or more off the current retail prices seniors pay, and seniors with low incomes also qualify for a \$1,200 credit over the next 18 months to help pay for prescriptions.

Nevertheless, millions of Americans are still buying prescription drugs in Canada and other countries, or purchasing drugs from Internet pharmacies that operate outside the United States. Despite the fact that importing prescription drugs is against the law today, these Americans are taking their lives in their hands by going outside our closed drug distribution system and obtaining their prescription medicines from pharmacies and Internet sites that do not meet the high standards that we require domestically.

Right now, the Federal Government and State governments are looking the other way, crossing our fingers and hoping that no one gets hurt. So I am cosponsoring Senator GREGG's bill to put a strong and enforceable system in place to protect Americans against the dangers inherent in importing drugs from other countries. I also intend to work with Senator GREGG to oppose any election-year political maneuvering that would weaken the critical safety components of his legislation as we consider the bill in the Health, Education, Labor, and Pensions Committee, and on the Senate floor.

#### ENACTMENT OF THE STANDARDS DEVELOPMENT ORGANIZATION ADVANCEMENT ACT

Mr. LEAHY. Mr. President, I am pleased that the House of Representatives has now passed the Standards Development Organization Advancement Act, an important piece of legislation on which both parties and both Chambers have been able to reach accord. It is now on its way to the President's desk, and I am confident that he will sign it into law.

In April of this year, Senator HATCH, Senator KOHL, Senator DEWINE, and I worked to craft a bipartisan, fair version of this bill that will promote the development of technical standards while preserving antitrust laws that enhance competition. It has been rare during this Congress to achieve the type of consensus generated by our bill, and it illustrates what we can accom-

plish when both parties work together. This is an example of how Congress should function. I must also express my gratitude to Chairman SENSENBRENNER for all his efforts in the House of Representatives, not only for his critical role in shaping this legislation but also for the expeditious way he shepherded the bill through the House.

As I have noted many times, technical standards serve a vital if unseen role in allowing for interoperability of products and making sure that the goods we buy are safe and effective. Whether for airbags or for fire retardant materials, without technical standards, consumers would be less likely to make the purchases that fuel the engine of the U.S. economy. Even more important, aspects of our lives that we consider routine—perhaps even mundane—would take on added dangers without standards that allow consumers to feel confident that a given product is safe and reliable.

There is, however, an unavoidable tension between the antitrust laws that prohibit businesses from colluding and the development of technical standards, which require competitors to reach agreement on basic design elements. The Standards Development Organization Advancement Act eases this tension, allowing standards development organizations to continue their important work while preserving our antitrust laws that enhance competition and protect American consumers.

Without creating an antitrust exemption, the Standards Development Organization Advancement Act will allow standards development organizations to seek review of their standards by the Department of Justice or the Federal Trade Commission prior to implementation. This "screening" phase will not let a standards development organization escape penalty for a regulation that a court later rules is in violation of antitrust laws, but it will limit the organization's liability to single damages rather than the treble damages levied under current law.

Additionally, the bill amends the National Cooperative Research and Production Act of 1993, by directing courts to apply a "rule of reason" standard to standards development organizations and the guidelines they produce. Under existing law, standards may be deemed anticompetitive by a court even if they have the effect of better serving consumers. This legislation gives our courts the needed ability to balance the competing interests of safety and efficiency against any anticompetitive effect—it is a capability our courts need in order to fairly administer justice. Back in the 103rd Congress, I introduced the Senate version of the National Cooperative Production Amendments Act of 1993, and I am glad that we can today build on our earlier successes.

Title II of the Standards Development Organization Advancement Act also addresses several areas of our antitrust laws that merit updating, as our

experience with the actual practice in the world has shown. Most importantly, it will eliminate the disparity between the treatment of criminal white collar offenses and antitrust criminal violations—a provision Senator HATCH and I had introduced in S. 1080, the Antitrust Improvements Act of 2003—and it will update and improve the Justice Department's amnesty program in the criminal antitrust context. It will also make some practical adjustments to the language of the Tunney Act. Finally, it will allow a judge to order publication of the comments received in a Tunney Act proceeding by electronic or other means. This provision will make these documents more accessible to the public while saving taxpayers the costs of paper publication.

I am glad that we can send to the President this bill that makes so many useful, fair, and bipartisan changes.

#### AMERICA'S FARMERS AND OBESITY

Mr. BROWNBACK. Mr. President, over the past 2 weeks, more than 2,000 farmers—including over 600 from Kansas, the most from any State—have signed a petition that will be sent to ABC News and TIME magazine today or tomorrow. The signers of this petition are to be commended.

Their request is simple. They want to ensure that their voices are heard in an upcoming summit on obesity sponsored by the two news outlets. At this summit, and in subsequent media coverage, "experts" will attempt to link Federal support for America's farmers to the country's obesity epidemic.

The individuals who signed the petition are frustrated, and rightfully so. This summit is a follow-up to the December news special, "How to Get Fat Without Really Trying," where ABC dedicated more than 15 minutes of airtime to bash Federal support for farmers.

Unfortunately, no one from the agricultural community was afforded the opportunity to defend farming families or the policies on which they depend. And don't expect too many farmers to be on hand to defend themselves at the upcoming summit either, not with a \$2,000 registration fee.

The agriculture community is not alone in its frustration. I am frustrated, too. So are many of my colleagues, like Senators BURNS and LINCOLN, who have also been vocal in their opposition to those who would blame farmers for America's bulging waistlines.

In the December special, Peter Jennings claimed "not many people in the government have made the connection between subsidies to agriculture and obesity." At least ABC got one thing right. We haven't made that connection, because there is no connection to be made.

Consider this: federal farm support has been in place since the 1930s. Yet,

obesity is only a recent problem. Other nations that don't have obesity problems provide subsidies to their farmers to produce many of the same commodities grown in the U.S. The European Union, for example, doles out six times the subsidies that we do, yet obesity is less of a problem in the EU than here in America. Federal support is not causing drastically higher levels of production, as some suggest. In fact, America produced more wheat 20 years ago than today. Corn harvested for human consumption has only seen moderate increases from 10 years earlier. And soybeans—another commodity unfairly linked to obesity—experienced supply issues over the past year. According to USDA consumption statistics, Americans consume much less wheat than consumers in other countries that don't suffer widespread obesity problems. Data from the Centers for Disease Control indicate that in the past 20 years, the calorie intake of American kids has risen only about 1 percent, an increase that's in keeping with their increased heights. The big change is that they now get 13 percent less exercise.

Bottom line: America needs farmers. And farmers need a strong Federal farm policy.

America's farmers deserve our praise. They deserve our thanks. What they don't deserve is to be blamed for America's obesity.

#### COMMISSION TO STUDY THE POTENTIAL CREATION OF A NATIONAL MUSEUM OF THE AMERICAN LATINO COMMUNITY ACT OF 2004

Mrs. BOXER. Mr. President, before the Memorial Day recess, I joined with Senators HATCH, BINGAMAN, and HUTCHISON in introducing the Commission to Study the Potential Creation of a National Museum of the American Latino Community Act of 2004.

This legislation would create a national commission to study and plan for a National Museum of the American Latino, possibly in Washington, DC. Congressman XAVIER BECERRA and the Congressional Hispanic Caucus have sponsored companion legislation in the House.

Throughout our Nation's history, Latinos have enriched our culture and economy, and contributed to our national defense. In every American war and conflict, Latinos have served honorably next to their fellow Americans. It is time for our Nation's history and public institutions to fully recognize and celebrate our Latino community.

Though Latinos have been the largest ethnic minority group in California for some time, the Census Bureau recently reported that Latinos are now the largest minority group in the country and have grown in population in every region. As of July 2002, there were 38.8 million Latinos in the United States. One out of every three of these Latinos is under the age of 18. Also, the

southern states other than Texas have seen the population of Latinos double between 1990 and 2000. The size, youth, and growth of this population ensure that American Latinos will continue to play a critical role in every region of the country and in every aspect of American life. As a result, a greater understanding of this population and its history will benefit all Americans.

The American Latino experience in the United States has a history as long as the Nation is old. From families with Puerto Rican and Dominican origins in New York to those with Cuban blood in Miami to the giant Mexican American and Central American communities in California and numerous other communities in every region of the country—American Latinos share a host of common values and similar experiences. A National Museum of the American Latino would help the larger American family celebrate this community's history and diversity.

The Smithsonian Institution is the world's largest museum and research complex, with 16 museums in the District of Columbia and New York City. The Smithsonian Institution museums, especially those on the National Mall, play a unique and important role in educating visitors to the Nation's capital about America's history, arts, and culture. The American people and international visitors recognize the Smithsonian Institution as the premier American museum, representing the vast diversity of cultural history of the United States. It is worth examining the potential for adding a National Museum of the American Latino to the Smithsonian family.

After extensive dialogue, conferences, and collaboration among educators, scholars, and community leaders as well as museums, universities, cultural, and public institutions, a task force appointed to examine the Smithsonian Institution's representation of American Latinos in its permanent exhibits and other public programs published "Willful Neglect: The Smithsonian Institution and U.S. Latinos" in May 1994 and "Toward a Shared Vision: U.S. Latinos and the Smithsonian Institution" in October 1997. The reports indicate that the Smithsonian historically had a poor record of representing Latinos. This criticism led to the creation of the Smithsonian's Center for Latino Initiatives in 1998.

The Center for Latino Initiatives has increased the profile of Latino arts and culture and deserves credit for promoting diversity and understanding of American Latino culture among the Smithsonian's visitors. The Center's short history has shown that American Latino exhibits and programs are well received by the public and by the Latino community, which benefits from having some representation at the Smithsonian. Still, the level of representation at the Smithsonian of the Latino community is far from where it should be given the American Latino

history, demography, and contributions to the American cultural landscape.

I thank Senators HATCH, BINGAMAN, and HUTCHISON for joining with me in introducing this bill. I look forward to working with them to pass this legislation, and I encourage all my colleagues to join us in this effort.

#### ROMA STILL WAITING FOR THEIR "BROWN V. BOARD OF EDUCATION"

Mr. CAMPBELL. Mr. President, 2 years ago, the United States Helsinki Commission, which I co-chair, held its third hearing on the human rights problems faced by Roma. At that time, we gave particular attention to the barriers Roma face in the field of education. As the OSCE High Commissioner on National Minorities said in his very helpful report on Roma in OSCE region, "exclusion of Roma extends to every sphere of social life, perhaps nowhere with more far-reaching and harmful effect than in respect of schooling."

In other words, ensuring equal access for Roma in the fields of education is an essential element for their integration in other areas of life. The World Bank and United Nations Development Program have also emphasized, in their reports, that integration in education is an essential ingredient for improving the overall conditions in which Roma live.

Last month, as our own country was commemorating the Supreme Court's historic decision in *Brown v. Board of Education*, the European Roma Rights Center issued a report entitled "Stigmata: Segregated Schooling of Roma in Central and Eastern Europe." This report evaluates practices and policies in Bulgaria, the Czech Republic, Hungary, Romania, and Slovakia and describes the most common ways of segregating Romani children from non-Roma: channeling Roma into so-called "special schools" for children with developmental disabilities; the de facto segregation that goes hand-in-hand with Romani ghettos; having mixed population schools where Romani children are segregated into all-Romani classes; and the refusal of some local authorities to enroll Romani children in mainstream schools.

The European Roma Rights Center report concludes that, unfortunately, "with the exception of Hungary, concrete government action aimed at desegregating the school system has not been initiated to date." It is surely not a coincidence that Hungary is also the only country in Europe where the mainstream political parties have started to compete for the Romani vote—both developments which reflect meaningful steps towards the real integration of Roma in that country.

As the European Roma Rights Center notes, segregated schooling is the result of many factors which conspire together—not the least of which is the