

event of an asthma or anaphylaxis emergency.

“(2) RULE OF CONSTRUCTION.—Nothing in this subsection creates a cause of action or in any other way increases or diminishes the liability of any person under any other law.

“(3) DEFINITIONS.—For purposes of this subsection:

“(A) ELEMENTARY SCHOOL AND SECONDARY SCHOOL.—The terms ‘elementary school’ and ‘secondary school’ have the meanings given to those terms in section 9101 of the Elementary and Secondary Education Act of 1965.

“(B) HEALTH CARE PRACTITIONER.—The term ‘health care practitioner’ means a person authorized under law to prescribe drugs subject to section 503(b) of the Federal Food, Drug, and Cosmetic Act.

“(C) MEDICATION.—The term ‘medication’ means a drug as that term is defined in section 201 of the Federal Food, Drug, and Cosmetic Act and includes inhaled bronchodilators and auto-injectable epinephrine.

“(D) SELF-ADMINISTRATION.—The term ‘self-administration’ means a student’s discretionary use of his or her prescribed asthma or anaphylaxis medication, pursuant to a prescription or written direction from a health care practitioner.”.

(b) APPLICABILITY.—The amendments made by this section shall apply only with respect to grants made on or after the date that is 9 months after the date of the enactment of this Act.

#### SEC. 4. SENSE OF CONGRESS COMMENDING CDC FOR ITS STRATEGIES FOR ADDRESSING ASTHMA WITHIN A COORDINATED SCHOOL HEALTH PROGRAM.

It is the sense of Congress—

(1) to commend the Centers for Disease Control and Prevention for identifying and creating “Strategies for Addressing Asthma Within a Coordinated School Program” for schools to address asthma; and

(2) to encourage all schools to review these strategies and adopt policies that will best meet the needs of their student population.

Mr. KENNEDY. Mr. President, it is a privilege to join Senator DEWINE in introducing the Asthmatic School-Children’s Treatment and Health Management Act. This legislation will save lives by enabling children to carry their medications with them and quickly treat their asthma attacks or allergic reactions.

Asthma continues to be a major, and often preventable cause of needless suffering and death among children in the United States. Over 6 million children under 18 have asthma, and it is significantly more prevalent in minority groups. Tragically, over 200 children die from this disease every year. Asthma affects more than health. It accounts for 14 million missed school days annually, and affects grades and personality. The estimated cost of asthma-related health care in our society is over \$14 billion a year.

The key to preventing deaths and severe health effects caused by asthma and allergic reactions is prompt treatment. Inhalers work within minutes to end acute asthma attacks in children. Children experiencing severe allergic reactions must receive life-saving injections of epinephrine immediately, in order to avoid serious complications or even death.

Children need quick access to these medications when they are at school. Yet, in many States, these medications

are locked up. Twenty States do not have legislation allowing students to carry and use their asthma inhalers, and 32 states have not yet passed legislation permitting students to carry and use epinephrine.

Some say that school nurses should control access to these lifesaving medications. But in America today, we have only 56,000 school nurses serving 47 million students in public schools. The ratio is only one school nurse for every 840 students. If access to these needed medications is controlled by nurses, the safety of asthma and allergy sufferers may often be compromised, and needless deaths may occur. Students without immediate access to needed medications could be at increased risk of harm while in a classroom far away from a nurse’s office or other school facility. Allowing children to take their own medicine during asthma attacks and severe allergic reactions can prevent many life-threatening situations.

Our bill will help to see that children with asthma or allergic reactions will get their medications when they need it. Under this Act, States that allow students to carry and self-administer asthma or allergy medications will receive preferences for asthma-related grants. It requires that a health care practitioner must prescribe the medication and instruct students on its proper use. The student must demonstrate to the practitioner that they have the skills to administer the medication correctly. This bill also requires the student’s parent or guardian to provide written consent for the student to take their medication according to the treatment plan.

When they face a life-threatening asthma attack or allergic reaction, children deserve an effective way to avoid severe health consequences. Schools should give our children the right to carry their medications with them in order to minimize the time lost between the onset of symptoms and the needed treatment. The “Asthmatic School-Children’s Treatment and Health Management Act” will save children’s lives and minimize suffering during these attacks. I commend Senator DEWINE for his leadership on this important health issue, and I encourage Congress to act quickly to improve every child’s access in school of life-saving medications.

#### SUBMITTED RESOLUTIONS

#### SENATE CONCURRENT RESOLUTION 138—COMMENDING JOHN W. KLUGE FOR HIS DEDICATION AND COMMITMENT TO THE UNITED STATES ON THE OCCASION OF HIS 90TH BIRTHDAY

Mr. STEVENS (for himself, Mr. LOTT and Mr. REID) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES 138

Whereas John W. Kluge has combined a unique history of American entrepreneurship

with pioneering contributions to philanthropy, electronic education, and television and radio broadcasting;

Whereas John W. Kluge is a dedicated patriot who served his country well as an Army intelligence officer during World War II;

Whereas John W. Kluge’s commitment to public service has made him one of the most esteemed and generous benefactors of education, and has brought him the admiration and gratitude of the people of the United States;

Whereas John W. Kluge’s deep belief in human potential and creativity has quietly helped extend educational opportunity through scholarships and other support of important civic causes;

Whereas John W. Kluge’s wise counsel and leadership as the founding chairman of the Library of Congress’s first private sector philanthropic organization, the James Madison Council, have inspired many others to join in support of the Library of Congress’s programs and initiatives;

Whereas John W. Kluge has established an endowed program at the Library of Congress to bring leading senior scholars and junior fellows from around the world to the Library to use its great collections and to interact with the members and staff of Congress;

Whereas John W. Kluge has generously supported the first Nobel-level award for lifetime scholarly achievement in the study of the human sciences;

Whereas John W. Kluge has generously supported the creation of advanced training for library leaders of the 21st century through a Leadership Development Program at the Library of Congress; and

Whereas John W. Kluge has inspired the people of the United States by his example of support for programs that educate and equip individuals for responsible and productive citizenship: Now, therefore, be it

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

(1) commends John W. Kluge for his dedication and commitment to the United States;

(2) expresses, on the occasion of John W. Kluge’s 90th birthday, its sincere appreciation and admiration for his example of philanthropy and public service to the people of the United States; and

(3) directs the Secretary of the Senate to transmit a copy of this resolution to John W. Kluge.

Mr. STEVENS. Mr. President, I have come to the Senate to submit a resolution honoring the great philanthropist John Kluge whose 90th birthday is tomorrow. He is a personal friend.

John Kluge is a self-made man. He came to this country as a young boy from Germany with virtually nothing but a china Dresden horse—which he still has. From these humble origins and through hard work he received a scholarship to Columbia University.

After distinguished service as an army intelligence officer during WW II—and I say parenthetically he served in Alaska during that period—he went on in the business world to create a vast media empire which he converted into a great engine of philanthropy, supporting many educational programs, aimed in particular toward helping minorities.

John Kluge’s quiet commitment to public service and generosity of spirit will live on for generations. For years to come, individuals will be able to attend college on a Kluge scholarship

who might otherwise be unable to afford it. Countless future national leaders will benefit from the intellectual stimulation he has made possible through his work at the Library of Congress.

Mr. Kluge is the founding chairman of the James Madison Council, the Library of Congress's private sector philanthropic organization, where he has inspired many others to join in support of the library and its programs.

Through his generosity, John Kluge helped the Library of Congress bridge the gap into the digital world by enabling it to invest heavily in technologies that bring the vast collections of the Library of Congress to people all over the world.

As chairman of the Joint Committee on the Library, I was pleased to announce at a ceremony in the Capitol in 2000 with the Librarian of Congress, Jim Billington, Mr. Kluge's generous gift of \$60 million to establish the John W. Kluge center in the Library of Congress. Thanks to this endowment, the Kluge Center brings some of the world's best minds—the Kluge Scholars—into residence to use the rich resources of the library and interact with national policy makers.

John Kluge has also generously supported the creation of advanced training for a new generation of library leaders through the leadership development program at the Library of Congress.

John Kluge is a man who has made a difference. He has touched countless lives and truly deserves the recognition of this body.

I ask unanimous consent to submit this resolution and ask that it be held at the desk so others might join in cosponsoring this resolution. It is my intention to ask the leadership to try to clear it for adoption this afternoon.

The PRESIDING OFFICER. Is there objection to the measure being submitted and held at the desk? Without objection, it is so ordered.

## NOTICES OF HEARINGS/MEETINGS

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that the oversight hearing regarding the current status of the Hard Rock Mining Industry in America previously scheduled for Thursday, September 23, at 10 a.m. in room SD-366 of the Dirksen Senate Office Building has been cancelled.

For further information, please contact Dick Bouts at 202-224-7545 or Amy Millet at 202-224-8276.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON FINANCE

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Com-

mittee on Finance be authorized to meet in open Executive Session during the session on September 20, 2004, at 5:30 p.m., to consider favorably reporting S. 333, the John Breaux Elder Justice Act of 2004, and the nomination of Joey Russell George, to be Treasury Inspector General for Tax Administration, U.S. Department of Treasury.

### SELECT SUBCOMMITTEE ON INTELLIGENCE

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 20, 2004 at 9:30 a.m. to hold a hearing on the nomination of PORTER J. GOSS to be Director of Central Intelligence.

### SPECIAL COMMITTEE ON AGING

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet Monday, September 20, 2004 from 2 p.m.-5 p.m. in Dirksen 628 for the purpose of conducting a hearing.

## EDWARD H. MCDANIEL AMERICAN LEGION POST NO. 22 LAND CONVEYANCE ACT

On Wednesday, September 15, 2004, the Senate passed S. 1521, as follows:

S. 1521

*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 "Edward H. McDaniel American Legion Post No. 22 Land Conveyance Act".

### SEC. 2. DEFINITIONS.

In this Act:

(1) POST NO. 22.—The term "Post No. 22" means the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

### SEC. 3. CONVEYANCE OF LAND TO EDWARD H. MCDANIEL AMERICAN LEGION POST NO. 22.

(a) CONVEYANCE ON CONDITION SUBSEQUENT.—Not later than 180 days after the date of enactment of this Act, subject to valid existing rights and the condition stated in subsection (c) and in accordance with the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act") (43 U.S.C. 869 et seq.), the Secretary shall convey to Post No. 22, for no consideration, all right, title, and interest of the United States in and to the parcel of land described in subsection (b).

(b) DESCRIPTION OF LAND.—The parcel of land referred to in subsection (b) is the parcel of Bureau of Land Management land that—

(1) is bounded by Route 160, Bride Street, and Dandelion Road in Nye County, Nevada;

(2) consists of approximately 4.5 acres of land; and

(3) is more particularly described as a portion of the S  $\frac{1}{4}$  of section 29, T. 20 S., R. 54 E., Mount Diablo and Base Meridian.

(c) CONDITION ON USE OF LAND.—

(1) IN GENERAL.—Post No. 22 and any successors of Post No. 22 shall use the parcel of land described in section (b) for the construction and operation of a post building and memorial park for use by Post No. 22, other veterans groups, and the local community for events and activities.

(2) REVERSION.—Except as provided in paragraph (3), if the Secretary, after notice to Post No. 22 and an opportunity for a hearing, makes a finding that Post No. 22 has used or permitted the use of the parcel for any purpose other than the purpose specified in paragraph (1) and Post No. 22 fails to discontinue that use, title to the parcel shall revert to the United States, to be administered by the Secretary.

(3) WAIVER.—The Secretary may waive the requirements of paragraph (2) if the Secretary determines that a waiver would be in the best interests of the United States.

## LEWIS AND CLARK NATIONAL PARK ACT OF 2004

On Wednesday, September 15, 2004, the Senate passed S. 2167, as follows:

S. 2167

*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 "Lewis and Clark National Historical Park Act of 2004".

### SEC. 2. PURPOSE.

The purpose of this Act is to establish the Lewis and Clark National Historical Park to—

(1) preserve for the benefit of the people of the United States the historic, cultural, scenic, and natural resources associated with the arrival of the Lewis and Clark Expedition in the lower Columbia River area; and

(2) commemorate the winter encampment of the Lewis and Clark Expedition in the winter of 1805–1806 following the successful crossing of the North American Continent.

### SEC. 3. DEFINITIONS.

In this Act:

(1) MAP.—The term "map" means the map entitled "Lewis and Clark National Historical Park, Boundary Map", numbered 405/80027, and dated December, 2003.

(2) MEMORIAL.—The term "Memorial" means the Fort Clatsop National Memorial established under section 1 of Public Law 85-435 (16 U.S.C. 450mm).

(3) PARK.—The term "Park" means the Lewis and Clark National Historical Park established by section 4(a).

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

### SEC. 4. LEWIS AND CLARK NATIONAL HISTORICAL PARK.

(a) ESTABLISHMENT.—There is established as a unit of the National Park System the Lewis and Clark National Historical Park in the States of Washington and Oregon, as depicted on the map.

(b) COMPONENTS.—The Park shall consist of—

(1) the Memorial, including—

(A) the site of the salt cairn (lot number 18, block 1, Cartwright Park Addition of Seaside, Oregon) used by the Lewis and Clark Expedition; and

(B) portions of the trail used by the Lewis and Clark Expedition that led overland from Fort Clatsop to the Pacific Ocean;

(2) the parcels of land identified on the map as "Fort Clatsop 2002 Addition Lands"; and

(3) the parcels of land located along the lower Columbia River in the State of Washington that are associated with the arrival of the Lewis and Clark Expedition at the Pacific Ocean in 1805 and that are identified on the map as—

(A) "Station Camp";

(B) "Clark's Dismal Nitch"; and

(C) "Cape Disappointment".

(c) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection