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# SENATE RESOLUTION 175—HONORING PENN STATE FOOTBALL COACH JOE PATERNO

Mr. SANTORUM (for himself and Mr. SPECTER) submitted the following resolution; which was considered and agreed to:

## S. RES. 175

Whereas Joe Paterno has served Penn State University as a coach for 52 years, a tenure spanning the administrations of 11 United States Presidents;

Whereas Joe Paterno has served as Penn State's 14th head coach for nearly 36 years, since February 19, 1966;

Whereas Joe Paterno has been on the coaching staff for more than half of the football games played by the Nittany Lions since the program began in 1887;

Whereas Joe Paterno always has placed a very strong emphasis on academic achievement and character building, as evidenced by the selection of 21 first-team Academic All-Americans, 14 Hall of Fame Scholar-Athletes, and 17 NCAA postgraduate scholarship winners so far during his tenure;

Whereas Joe Paterno's most recent NCAA 4-year player graduation rate of 76 percent far exceeds the NCAA-wide average of 48 percent for the same period;

Whereas Joe Paterno and his wife, Sue, have personally donated over \$4,000,000 to Penn State's student library and academic programs;

Whereas Joe Paterno has led Penn State teams to 5 undefeated seasons;

Whereas Joe Paterno has led Penn State teams to 20 bowl game victories in his career as head coach, more than any other coach in college football history;

Whereas Joe Paterno was the first college football coach to win all of the 4 major New Year's Day bowl games: the Rose, Sugar, Cotton, and Orange Bowls;

Whereas Joe Paterno led 2 teams to National Championship titles, in 1982 and 1986;

Whereas Joe Paterno's coaching efforts have yielded over 250 National Football League players;

Whereas Joe Paterno has been chosen an unprecedented 4 times as American Football Coaches Association Coach of the Year; and

Whereas Joe Paterno, on October 27, 2001, broke the longstanding record for NCAA Division I-A victories, reaching the 324-victory mark, by leading his team to a 29-27 win over Ohio State: Now, therefore, be it

*Resolved,*

## SECTION 1. CONGRATULATION AND COMMENDATION.

The Senate recognizes and honors Joe Paterno—

(1) for his lifetime emphasis on academic achievement;

(2) for his constant integrity, professionalism, and strong focus on character building for amateur athletes;

(3) for the example he sets through philanthropic support for academic programs; and

(4) for becoming the first NCAA Division I-A football coach to achieve 324 career victories, on October 27, 2001.

## SEC. 2. TRANSMITTAL OF RESOLUTION.

The Secretary of the Senate shall transmit an enrolled copy of this resolution to—

(1) Penn State Football Head Coach Joe Paterno; and

(2) Penn State University President Graham Spanier.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 2056. Mr. GREGG (for himself, Mr. DEWINE, and Mr. ENZI) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

SA 2057. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 3061, supra; which was ordered to lie on the table.

SA 2058. Ms. LANDRIEU (for herself, Mr. COCHRAN, Mr. BENNETT, Mr. HATCH, Mr. ENSIGN, Mr. DEWINE, Mr. LIEBERMAN, and Mr. ROCKEFELLER) proposed an amendment to the bill H.R. 3061, supra.

SA 2059. Mr. HATCH (for himself, Mr. REID, and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill H.R. 3061, supra; which was ordered to lie on the table.

SA 2060. Mr. ALLEN submitted an amendment intended to be proposed to amendment SA 2044 submitted by Mr. DASCHLE and intended to be proposed to the bill (H.R. 3061) supra; which was ordered to lie on the table.

SA 2061. Mr. KERRY (for himself, Mr. BREAUX, and Mr. HOLLINGS) submitted an amendment intended to be proposed by him to the bill S. 1214, to amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports, and for other purposes; which was ordered to lie on the table.

SA 2062. Mr. REID (for Mr. BINGAMAN (for himself and Mr. DOMENICI)) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

SA 2063. Mr. REID (for Mr. SESSIONS (for himself and Mr. HELMS)) proposed an amendment to the bill H.R. 3061, supra.

SA 2064. Mr. REID (for Mr. SESSIONS) proposed an amendment to the bill H.R. 3061, supra.

SA 2065. Mr. REID (for Mr. BROWNBACK) proposed an amendment to the bill H.R. 3061, supra.

SA 2066. Mr. REID (for Mrs. CLINTON) proposed an amendment to the bill H.R. 3061, supra.

SA 2067. Mr. REID (for Mr. TORRICELLI) proposed an amendment to the bill H.R. 3061, supra.

SA 2068. Mr. REID (for Mr. TORRICELLI) proposed an amendment to the bill H.R. 3061, supra.

SA 2069. Mr. REID (for Mr. TORRICELLI (for himself and Mr. CORZINE)) proposed an amendment to the bill H.R. 3061, supra.

SA 2070. Mr. REID (for Mr. TORRICELLI) proposed an amendment to the bill H.R. 3061, supra.

SA 2071. Mr. REID (for Mr. TORRICELLI (for himself and Mr. REED)) proposed an amendment to the bill H.R. 3061, supra.

SA 2072. Mr. REID (for Mr. TORRICELLI (for himself and Mr. REED)) proposed an amendment to the bill H.R. 3061, supra.

SA 2073. Mr. REID (for Mr. SPECTER) proposed an amendment to the bill H.R. 3061, supra.

SA 2074. Mr. HUTCHINSON (for himself and Mr. NICKLES) proposed an amendment to the bill H.R. 3061, supra.

SA 2075. Mr. KYL (for himself, Mr. MCCAIN, Mrs. HUTCHISON, Mr. DOMENICI, Mr. ALLARD, and Mr. MURKOWSKI) proposed an amendment to the bill H.R. 3061, supra.

SA 2076. Mr. HARKIN (for Mr. MILLER) proposed an amendment to the bill H.R. 3061, supra.

SA 2077. Mr. HARKIN proposed an amendment to the bill H.R. 3061, supra.

SA 2078. Mr. HARKIN (for Mr. FEINGOLD) proposed an amendment to the bill H.R. 3061, supra.

SA 2079. Mr. HARKIN (for Mr. GRAHAM) proposed an amendment to the bill H.R. 3061, supra.

SA 2080. Mr. HARKIN (for Mr. DEWINE) proposed an amendment to the bill H.R. 3061, supra.

SA 2081. Mr. HARKIN (for Ms. LANDRIEU) proposed an amendment to the bill H.R. 3061, supra.

SA 2082. Mr. HARKIN (for Mrs. CLINTON) proposed an amendment to the bill H.R. 3061, supra.

SA 2083. Mr. HARKIN (for Mr. HATCH (for himself, Mr. REID, and Mr. DOMENICI)) proposed an amendment to the bill H.R. 3061, supra.

SA 2084. Mr. HARKIN (for Mr. BINGAMAN (for himself, Mr. DASCHLE, Mr. KENNEDY, Mr. KERRY, and Mrs. MURRAY)) proposed an amendment to the bill H.R. 3061, supra.

SA 2085. Mr. HARKIN (for Mr. SMITH, of New Hampshire) proposed an amendment to the bill H.R. 3061, supra.

SA 2086. Mr. HARKIN (for Mr. LIEBERMAN) proposed an amendment to the bill H.R. 3061, supra.

SA 2087. Mr. HARKIN proposed an amendment to the bill H.R. 3061, supra.

## TEXT OF AMENDMENTS

**SA 2056.** Mr. GREGG (for himself, Mr. DEWINE, and Mr. ENZI) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

Beginning on page 54, strike line 19 through "and renovation:" on line 14, page 57, and insert the following:

### EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965 as amended by H.R. 1 as passed by the Senate on June 14, 2001 ("ESEA"); the McKinney-Vento Homeless Assistance Act; and section 418A of the Higher Education Act of 1965, \$12,804,900,000, of which \$5,029,200,000 shall become available on July 1, 2002, and shall remain available through September 30, 2003, and of which \$6,953,300,000 shall become available on October 1, 2002, and shall remain available through September 30, 2003, for academic year 2002-2003: *Provided*, That \$7,398,721,000 shall be available for basic grants under section 1124: *Provided further*, That up to \$3,500,000 of these funds shall be available to the Secretary of Education on October 1, 2001, to obtain updated educational-agency-level census poverty data from the Bureau of the Census: *Provided further*, That \$1,364,000,000 shall be available for concentration grants under section 1124A: *Provided further*, That grant awards under sections 1124 and 1124A of title I of the ESEA shall be not less than the greater of 95 percent of the amount each State and local educational agency received under this authority for fiscal year 2001: *Provided further*, That notwithstanding any other provision of law, grant awards under 1124A of title I of the ESEA shall be made to those local educational agencies that received a concentration grant under the Department of Education Appropriations Act, 2001, but are not eligible to receive such a grant for fiscal year 2002: *Provided further*, That \$1,437,279,000 shall be available for targeted grants under

section 1125 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6335).

#### IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the Elementary and Secondary Education Act of 1965, as amended by H.R. 1 as passed by the Senate on June 14, 2001, \$1,130,500,000, of which \$954,000,000 shall be for basic support payments under section 8003(b), \$50,000,000 shall be for payments for children with disabilities under section 8003(d), \$68,000,000 shall be for formula grants for construction under section 8007(a), \$50,500,000 shall be for Federal property payments under section 8002, and \$8,000,000, to remain available until expended, shall be for facilities maintenance under section 8008.

#### SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by sections 1117A and 1229 and subpart 1 of part F of title I and titles II, IV, V, VI, parts B and C of title VII, and title XI of the Elementary and Secondary Education Act of 1965, as amended by H.R. 1 as passed by the Senate on June 14, 2001 ("ESEA"); and the Civil Rights Act of 1964; \$7,792,014,000, of which \$240,750,000 shall become available on July 1, 2002, and remain available through September 30, 2003, and of which \$1,765,000,000 shall become available on October 1, 2002, and shall remain available through September 30, 2003, for academic year 2002-2003: *Provided*, That \$28,000,000 shall be for part A of title XIII of the ESEA as in effect prior to Senate passage of H.R. 1 to continue the operation of the current Comprehensive Regional Assistance Centers:

On page 69, strike lines 14 through "2002". On line 6, page 73.

**SA 2057.** Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

#### TITLE HUMAN-GERMLINE GENE MODIFICATION

##### SEC. 01. SHORT TITLE.

This title may be cited as the "Human Germline Gene Modification Prohibition Act of 2001".

##### SEC. 02. FINDINGS.

Congress makes the following findings:

(1) Human Germline gene modification is not needed to save lives, or alleviate suffering, of existing people. Its target population is "prospective people" who have not been conceived.

(2) The cultural impact of treating humans as biologically perfectible artifacts would be entirely negative. People who fall short of some technically achievable ideal would be seen as "damaged goods", while the standards for what is genetically desirable will be those of the society's economically and politically dominant groups. This will only increase prejudices and discrimination in a society where too many such prejudices already exist.

(3) There is no way to be accountable to those in future generations who are harmed or stigmatized by wrongful or unsuccessful human germline modifications of themselves or their ancestors.

(4) The negative effects of human germline manipulation would not be fully known for generations, if ever, meaning that countless people will have been exposed to harm probably often fatal as the result of only a few instances of germline manipulations.

(5) All people have the right to have been conceived, gestated, and born without genetic manipulation.

#### SEC. 03. PROHIBITION ON HUMAN GERMLINE GENE MODIFICATION

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 15, the following:

#### "CHAPTER 16—GERMLINE GENE MODIFICATION

"Sec.

"301. Definitions

"302. Prohibition on germline gene modification.

#### "§ 301. Definitions

"In this chapter:

(1) HUMAN GERMLINE GENE MODIFICATION.—The term 'human germline gene modification' means the intentional modification of DNA in any human cell (including human eggs, sperm, fertilized eggs, zygotes, blastocysts, embryos, or any precursor cells that will differentiate into gametes or can be manipulated to do so) for the purpose of producing a genetic change which can be passed on to future individuals, including inserting, deleting or altering DNA from any source, and in any form, such as nuclei, chromosomes, nuclear, mitochondrial, and synthetic DNA. The term does not include any modification of cells that are not a part of and will not be used to create human embryos. Nor does it include the change of DNA involved in the normal process of sexual reproduction.

"(2) HUMAN HAPLOID CELL.—The term 'haploid cell' means a cell that contains only a single copy of each of the human chromosomes, such as eggs, sperm, and their precursors.

"(3) SOMATIC CELL.—The term 'somatic cell' means a diploid cell (having two sets of the chromosomes of almost all body cells) obtained or derived from a living or deceased human body at any stage of development. Somatic cells are diploid cells that are not precursors of either eggs or sperm. A genetic modification of somatic cells is therefore not germline genetic modification.

Rule of Construction: Nothing in this Act is intended to limit somatic cell gene therapy, or to effect research involving human pluripotent stem cells.

#### "§ 302. Prohibition on germline gene modification

"(a) IN GENERAL.—It shall be unlawful for any person or entity, public or private, in or affecting interstate commerce—

"(1) to perform or attempt to perform human germline gene modification;

"(2) to intentionally participate in an attempt to perform human germline gene modification; or

"(3) to ship or receive the product of human germline gene modification for any purpose.

"(b) IMPORTATION.—It shall be unlawful for any person or entity, public or private, to import the product of human germline gene modification for any purpose.

"(c) PENALTIES.—

"(1) IN GENERAL.—Any person or entity that is convicted of violating any provision of this section shall be fined under this section or imprisoned not more than 10 years, or both.

"(2) CIVIL PENALTY.—Any person or entity that is convicted of violating any provision of this section shall be subject to, in the case of a violation that involves the derivation of a pecuniary gain, a civil penalty of not less than \$1,000,000 and not more than an amount equal to the amount of the gross gain multiplied by 2, if that amount is greater than \$1,000,000.

(b) CLERICAL AMENDMENT.—The table of chapters for part I of title 18, United States

Code, is amended by inserting after the item relating to chapter 15 the following:

"16. Germline Gene Modification ..... 301".

**SA 2058.** Ms. LANDRIEU (for herself, Mr. COCHRAN, Mr. BENNETT, Mr. HATCH, Mr. ENSIGN, Mr. DEWINE, Mr. LIEBERMAN, and Mr. ROCKEFELLER) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 55, line 6, strike "\$8,568,000,000" and insert "\$7,172,690,000".

On page 55, line 11, strike "\$1,632,000,000" and insert "\$1,365,031,000".

On page 55, line 12, after "section 1124A:" insert the following: "Provided further, That \$1,000,000,000 shall be available for targeted grants under section 1125: *Provided further*, That \$649,979,000 shall be available for education finance incentive grants under section 1125A."

On page 55, strike line 15 and all that follows "H.R. 1" on page 55, line 22, and insert "95 percent of the amount each State and local educational agency received under this authority for fiscal year 2001".

**SA 2059.** Mr. HATCH (for himself, Mr. REID, and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 54, between lines 15 and 16, insert the following:

SEC. \_\_\_\_ For the Health Resources and Services Administration, \$5,000,000 for grants for education, prevention, and early detection of radiogenic cancers and diseases under section 417C of the Public Health Service Act (42 U.S.C. 285a-9) (as amended by the Radiation Exposure Compensation Act Amendments of 2000), of which \$1,000,000 shall be available to enter into a contract with the National Research Council under which the Council shall—

(1) review the most recent scientific information related to radiation exposure and associated cancers or other diseases;

(2) make recommendations to—

(A) reduce the length of radiation exposure requirements for any compensable illnesses under the Radiation Exposure Compensation Act (42 U.S.C. 2210 note); and

(B) include additional illnesses, geographic areas, or classes of individuals with the scope of compensation of such Act; and

(3) not later than June 30, 2003, prepare and submit to the Committee on Appropriations, Committee on Health, Education, Labor, and Pensions, and Committee on the Judiciary of the Senate and the Committee on Appropriations, Committee on Energy and Commerce, and Committee on the Judiciary of the House of Representatives, a report describing the findings made by the Council under paragraphs (1) and (2).

**SA 2060.** Mr. ALLEN submitted an amendment intended to be proposed to amendment SA 2044 submitted by Mr. DASCHLE and intended to be proposed to the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services,

and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

Strike everything after line 1 and insert the following.

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Terrorist Response Tax Exemption Act".

#### SEC. 2. EXCLUSION OF CERTAIN TERRORIST ATTACK ZONE COMPENSATION OF CIVILIAN UNIFORMED PERSONNEL.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 (relating to items specifically excluded from gross income) is amended by inserting after section 112 the following new section:

##### "SEC. 112A. CERTAIN TERRORIST ATTACK ZONE COMPENSATION OF CIVILIAN UNIFORMED PERSONNEL.

"(a) IN GENERAL.—Gross income does not include compensation received by a civilian uniformed employee for any month during any part of which such employee provides security, safety, fire management, or medical services in a terrorist attack zone.

"(b) DEFINITIONS.—For purposes of this section—

"(1) CIVILIAN UNIFORMED EMPLOYEE.—The term 'civilian uniformed employee' means any nonmilitary individual employed by a Federal, State, or local government (or any agency or instrumentality thereof) for the purpose of maintaining public order, establishing and maintaining public safety, or responding to medical emergencies.

"(2) TERRORIST ATTACK ZONE.—The term 'terrorist attack zone' means any area designated by the President or any applicable State or local authority (as determined by the Secretary) to be an area in which occurred a violent act or acts which—

"(A) were dangerous to human life and a violation of the criminal laws of the United States or of any State, and

"(B) would appear to be intended to intimidate or coerce a civilian population, influence the policy of a government by intimidation, or affect the conduct of a government by assassination or kidnapping.

"(3) COMPENSATION.—The term 'compensation' does not include pensions and retirement pay."

##### (b) CONFORMING AMENDMENTS.—

(1) Section 3401(a)(1) of the Internal Revenue Code of 1986 is amended by inserting "or section 112A (relating to certain terrorist attack zone compensation of civilian uniformed personnel)" after "United States)".

(2) The table of sections for part III of subchapter B of chapter 1 of such Code is amended by inserting after the item relating to section 112 the following new item:

"Sec. 112A. Certain terrorist attack zone compensation of civilian uniformed personnel."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending on or after September 11, 2001.

**SA 2061.** Mr. KERRY (for himself, Mr. BREAUX, and Mr. HOLLINGS) submitted an amendment intended to be proposed by him to the bill S. 1214, to amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, before line 1, strike the items relating to sections 109 through 126, and insert the following:

Sec. 109. International port security.  
Sec. 110. Security standards at foreign seaports.

Sec. 111. Counter-terrorism and incident contingency plans.

Sec. 112. Maritime security professional training.

Sec. 113. Port security infrastructure improvement.

Sec. 114. Screening and detection equipment.

Sec. 115. Revision of port security planning guide.

Sec. 116. Attorney General to coordinate port-related crime data collection.

Sec. 117. Shared dockside inspection facilities.

Sec. 118. Mandatory advanced electronic information for cargo and passengers and other improved customs reporting procedures.

Sec. 119. Prearrival messages from vessels destined to United States ports.

Sec. 120. Coast Guard domestic maritime safety and security teams.

Sec. 121. Sea marshal program.

Sec. 122. Research and development for crime and terrorism prevention and detection technology.

Sec. 123. Extension of seaward jurisdiction.

Sec. 124. Suspension of limitation on strength of Coast Guard.

Sec. 125. Additional reports.

Sec. 126. Civil penalties.

Sec. 127. 4-year reauthorization of tonnage duties.

Sec. 128. Foreign port assessment fees.

Sec. 129. Definitions.

On page 13, line 7, strike "125(b)" and insert "127(b)".

On page 16, line 7, strike "125(b)" and insert "127(b)".

On page 19, line 15, strike "125(b)" and insert "127(b)".

On page 32, between lines 3 and 4, insert the following:

(2) evaluates the potential for increasing the capabilities of sea pilots to provide information on maritime domain awareness, including specifically necessary improvements to both reporting procedures and equipment that could allow pilots to be integrated more effectively in a maritime domain awareness program;

On page 32, line 4, strike "(2)" and insert "(3)".

On page 32, line 11, strike "(3)" and insert "(4)".

On page 32, line 15, strike "(4)" and insert "(5)".

On page 32, line 20, strike "(5)" and insert "(6)".

On page 32, line 22, strike "(6)" and insert "(7)".

On page 34, line 6, strike "section 116" and insert "section 117".

On page 34, line 15, strike "section 116" and insert "section 117".

On page 35, line 23, strike "125(b)" and insert "127(b)".

On page 36, between lines 9 and 10, insert the following:

#### SEC. 110. SECURITY STANDARDS AT FOREIGN SEAPORTS.

##### (a) ASSESSMENT.—

(1) IN GENERAL.—The Secretary shall assess the effectiveness of the security measures maintained at—

(A) each foreign seaport—

(i) served by United States vessels;

(ii) from which foreign vessels serve the United States; or

(iii) that poses a high risk of introducing danger to international sea travel; and

(B) other foreign seaports the Secretary considers appropriate.

(2) INTERNATIONAL COOPERATION AND STANDARDS.—The Secretary of Transportation shall conduct an assessment under paragraph (1) of this subsection—

(A) in consultation with appropriate port authorities of the government of a foreign country concerned and United States vessel operators serving the foreign seaport for which the Secretary is conducting the assessment;

(B) to establish the extent to which a foreign seaport effectively maintains and carries out security measures; and

(C) by using a standard that will result in an analysis of the security measures at the seaport based at least on the standards and recommended practices of the International Maritime Organization in effect on the date of the assessment.

(3) REPORT.—Each report to Congress required under section 120(b) shall contain a summary of the assessments conducted under this subsection.

(b) INTERVAL.—The Secretary of Transportation shall conduct assessments under subsection (a) of this section at least 25 foreign seaports annually until all seaports identified in subsection (a)(1) are completed. The first 25 of these assessments shall be conducted within 18 months after the date of enactment of this Act.

(c) CONSULTATION.—In carrying out subsection (a) of this section, the Secretary of Transportation shall consult with the Secretary of State—

(1) on the terrorist threat that exists in each country; and

(2) to establish which foreign seaports are not under the de facto control of the government of the foreign country in which they are located and pose a high risk of introducing danger to international sea travel.

(d) QUALIFIED ASSESSMENT ENTITIES.—In carrying out subsection (a) of this section, the Secretary of Transportation may utilize entities determined by the Secretary of Transportation and the Secretary of State to be qualified to conduct such assessments.

(e) NOTIFYING FOREIGN AUTHORITIES.—If the Secretary of Transportation, after conducting an assessment under subsection (a) of this section, determines that a seaport does not maintain and carry out effective security measures, the Secretary, after advising the Secretary of State, shall notify the appropriate authorities of the government of the foreign country of the decision and recommend the steps necessary to bring the security measures in use at the seaport up to the standard used by the Secretary in making the assessment.

#### (f) ACTIONS WHEN SEAPORTS NOT MAINTAINING AND CARRYING OUT EFFECTIVE SECURITY MEASURES.—

(1) IN GENERAL.—If the Secretary of Transportation makes a determination under subsection (e) that a seaport does not maintain and carry out effective security measures, the Secretary—

(A) shall publish the identity of the seaport in the Federal Register;

(B) shall require the identity of the seaport to be posted and displayed prominently at all United States seaports at which scheduled passenger carriage is provided regularly;

(C) shall notify the news media of the identity of the seaport;

(D) shall require each United States and foreign vessel providing transportation between the United States and the seaport to provide written notice of the decision, on or with the ticket, to each passenger buying a ticket for transportation between the United States and the seaport; and

(E) may, after consulting with the appropriate port authorities of the foreign country concerned and United States and foreign vessel operators serving the seaport and with the approval of the Secretary of State, withhold, revoke, or prescribe conditions on the operating authority of a United States or foreign vessel that uses that seaport to provide foreign sea transportation.

(2) **PRESIDENTIAL ACTION.**—If the Secretary makes such a determination under subsection (e) about a seaport, the President may prohibit a United States or foreign vessel from providing transportation between the United States and any other foreign seaport that is served by vessels navigating to or from the seaport with respect to which a decision is made under this section.

(3) **WHEN ACTION TO BE TAKEN.**—

(A) **IN GENERAL.**—The provisions of paragraphs (1) and (2) shall apply with respect to a foreign seaport—

(i) 90 days after the government of a foreign country is notified of the Secretary's determination under subsection (e) of this section unless the Secretary of Transportation finds that the government has brought the security measures at the seaport up to the standard the Secretary used in making an assessment under subsection (a) of this section before the end of that 90-day period; or

(ii) on the date on which the Secretary makes that determination if the Secretary of Transportation determines, after consulting with the Secretary of State, that a condition exists that threatens the safety or security of passengers, vessels, or crew traveling to or from the seaport.

(B) **TRAVEL ADVISORY NOTIFICATION.**—The Secretary of Transportation immediately shall notify the Secretary of State of a determination under subparagraph (A)(ii) of this paragraph so that the Secretary of State may issue a travel advisory required under section 908 of the International Maritime and Port Security Act (46 U.S.C. App. 1804).

(4) **CONGRESSIONAL NOTIFICATION.**—The Secretary of Transportation promptly shall submit to Congress a report (and classified annex if necessary) on action taken under paragraph (1) or (2) of this subsection, including information on attempts made to obtain the cooperation of the government of a foreign country in meeting the standard the Secretary used in assessing the seaport under subsection (a) of this section.

(5) **CANCELLATION OF PUBLIC REQUIREMENTS.**—If the Secretary of Transportation, in consultation with the Secretary of State, determines that effective security measures are maintained and carried out at the seaport against which the Secretary took action under paragraph (1), then the Secretary shall—

(A) terminate action under paragraph (1) against that seaport; and

(B) notify the Congress of the Secretary's determination.

(g) **SUSPENSIONS.**—The Secretary of Transportation, with the approval of the Secretary of State and without notice of a hearing, shall suspend the right of any United States vessel to provide foreign sea transportation, and the right of a person to operate vessels in foreign sea commerce, to or from a foreign seaport if the Secretary of Transportation determines that—

(1) a condition exists that threatens the safety or security of passengers, vessels, or crew traveling to or from that seaport; and

(2) the public interest requires an immediate suspension of transportation between the United States and that seaport.

(h) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Secretary of Transportation \$2,000,000 for fiscal year 2002 and each fiscal year thereafter to carry out this section.

On page 36, line 10, strike "**SEC. 110.**" and insert "**SEC. 111.**"

On page 36, line 19, strike "section 114" and insert "section 115".

On page 37, line 8, strike "**SEC. 111.**" and insert "**SEC. 112.**"

On page 41, line 14, strike "125(b)" and insert "127(b)".

On page 43, line 10, strike "**SEC. 112.**" and insert "**SEC. 113.**"

On page 48, line 5, strike "125(b)" and insert "127(b)".

On page 49, line 15, strike "**SEC. 113.**" and insert "**SEC. 114.**"

On page 49, line 17, strike "125(b)" and insert "127(b)".

On page 50, line 18, strike "**SEC. 114.**" and insert "**SEC. 115.**"

On page 50, line 24, strike "section 116" and insert "section 117".

On page 51, line 3, strike "**SEC. 115.**" and insert "**SEC. 116.**"

On page 54, line 20, strike "125(b)" and insert "127(b)".

On page 55, line 3, strike "**SEC. 116.**" and insert "**SEC. 117.**"

On page 55, line 12, strike "125(b)" and "127(b)".

On page 55, line 20, strike "**SEC. 117.**" and insert "**SEC. 118.**"

On page 65, line 10, strike "**SEC. 118.**" and insert "**SEC. 119.**"

On page 65, line 12, insert "(a) IN GENERAL.—" before "The".

On page 65, line 24, strike "require".

On page 66, line 4, strike "require".

On page 66, between lines 19 and 20, insert the following:

(b) **IMPROVED REPORTING ON FOREIGN-FLAG VESSELS ENTERING UNITED STATES PORTS.**—Within 6 months after the date of enactment of this Act and every year thereafter, the Secretary of Transportation, in consultation with the Secretary of State, shall provide a report to the Committees on Commerce, Science, and Transportation and Foreign Relations of Senate, and Committees on Transportation and Infrastructure and International Relations of the House of Representatives that lists the following information:

(1) A list of all nations whose flag vessels have entered United States ports in the previous year.

(2) Of the nations on that list, a separate list of those nations—

(A) whose registered flag vessels appear as Priority III or higher on the Boarding Priority Matrix maintained by the Coast Guard;

(B) that have presented, or whose flag vessels have presented, false, intentionally incomplete, or fraudulent information to the United States concerning passenger or cargo manifests, crew identity or qualifications, or registration or classification of their flag vessels;

(C) whose vessel registration or classification procedures have been found by the Secretary to be insufficient or do not exercise adequate control over safety and security concerns; or

(D) whose laws or regulations are not sufficient to allow tracking of ownership and registration histories of registered flag vessels.

(3) Actions taken by the United States, whether through domestic action or international negotiation, including agreements at the International Maritime Organization under section 902 of the International Maritime and Port Security Act (46 U.S.C. App. 1801), to improve transparency and security of vessel registration procedures in nations on the list under paragraph (2).

(4) Recommendations for legislative or other actions needed to improve security of United States ports against potential threats posed by flag vessels of nations named in paragraph (2).

On page 66, line 20, strike "**SEC. 119.**" and insert "**SEC. 120.**"

On page 67, between lines 14 and 15, insert the following:

**SEC. 121. SEA MARSHAL PROGRAM.**

(a) **ESTABLISHMENT.**—Within 6 months after the date of enactment of this Act, the Sec-

retary of Transportation shall establish a program to place sea marshals on vessels entering United States Ports identified in subsection (c).

(b) **CONSULTATION.**—In establishing this program, the Secretary shall consult with representatives from the port security task force and local port security committees.

(c) **SEA MARSHAL PORTS.**—The Secretary shall identify United States ports for inclusion in the sea marshal program based on criteria that include the following:

(1) The presence of port facilities that handle materials that are hazardous or flammable in quantities that make them potential targets of attack.

(2) The proximity of these facilities to residential or other densely populated areas.

(3) The proximity of sea lanes or navigational channels to hazardous areas that would pose a danger to citizens in the event of a loss of navigational control by the ship's master.

(4) Any other criterion deemed necessary by the Secretary.

(d) **SEA MARSHAL QUALIFICATIONS.**—The Secretary shall establish appropriate qualifications or standards for sea marshals. The Secretary may use, or require use of, Federal, State, or local personnel as sea marshals.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Secretary of Transportation such sums as may be necessary to carry out the requirements of this section for each of the fiscal years 2002 through 2006.

(f) **REPORT.**—Within 3 years after the date of enactment of this Act, the Secretary shall report to the Committee on Commerce, Science, and Transportation of the Senate, and Committee on Transportation and Infrastructure of the House of Representatives on the success of the program in protecting the ports listed under (c), and submit any recommendations.

On page 67, line 15, strike "**SEC. 120.**" and insert "**SEC. 122.**"

On page 69, line 5, strike "**SEC. 121.**" and insert "**SEC. 123.**"

On page 69, line 16, strike "**SEC. 122.**" and insert "**SEC. 124.**"

On page 70, line 14, strike "**SEC. 123.**" and insert "**SEC. 125.**"

On page 72, line 4, strike "section 111" and insert "section 112."

On page 72, line 9, strike "section 115" and insert "section 116".

On page 72, line 19, strike "section 113" and insert "section 114".

On page 72, line 21, strike "**SEC. 124.**" and insert "**SEC. 126.**"

On page 73, line 19, strike "**SEC. 125.**" and insert "**SEC. 127.**"

On page 74, beginning in line 12, strike "110(e), 111(f), 112(e), 113(a), 115(c), and 116(b)." and insert "111(e), 112(f), 113(e), 114(a), 116(c), and 117(b)."

On page 74, between lines 13 and 14, insert the following:

**SEC. 128. FOREIGN PORT ASSESSMENT FEES.**

(a) **IN GENERAL.**—The Secretary of Transportation shall collect a user fee from cruise vessel lines upon the arrival of a cruise vessel at a United States port from a foreign port. Amounts collected under this section shall be treated as offsetting collections to offset annual appropriations for the costs of providing foreign port vulnerability assessments under section 110.

(b) **AMOUNT OF FEE.**—Cruise vessel lines shall remit \$0.50 for each passenger embarkment on a cruise that includes at least one United States port and one foreign port.

(c) **USE OF FEES.**—A fee collected under this section shall be used solely for the costs associated with providing foreign port vulnerability assessments and may be used only

to the extent provided in advance in an appropriation law.

(d) **EFFECTIVE DATE.**—The requirements of this section apply with respect to travel beginning more than 179 days after the date of enactment of this Act.

On page 74, line 14, strike “**SEC. 126.**” and insert “**SEC. 129.**”.

**SA 2062.** Mr. REID (for Mr. BINGAMAN (for himself and Mr. DOMENICI)) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place, add the following:

**SEC. 519.** (a) **DEFINITION.**—In this section the term “qualified magistrate judge” means any person who—

(1) retired as a magistrate judge before November 15, 1988; and

(2) on the date of filing an election under subsection (b)—

(A) is serving as a recalled magistrate judge on a full-time basis under section 636(h) of title 28, United States Code; and

(B) has completed at least 5 years of full-time recall service.

(b) **ELECTION OF ANNUITY.**—The Director of the Administrative Office of the United States Courts may accept the election of a qualified magistrate judge to—

(1) receive an annuity under section 377 of title 28, United States Code; and

(2) come within the purview of section 376 of such title.

(c) **CREDIT FOR SERVICE.**—Full-time recall service performed by a qualified magistrate judge shall be credited for service in calculating an annuity elected under this section.

(d) **REGULATIONS.**—The Director of the Administrative Office of the United States Courts may promulgate regulations to carry out this section.

**SA 2063.** Mr. REID (for Mr. SESSIONS (for himself and Mr. HELMS)) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 54, after line 15, insert the following:

**SEC. 220.** (a) **FINDINGS.**—Congress finds that—

(1) according to the Centers for Disease Control and Prevention, over 765,000 people in the United States have been diagnosed with the virus that causes AIDS since 1981, and over 442,000 deaths have occurred in the United States as a result of the disease;

(2) Federal AIDS prevention funds should be used to provide resources, training, technical assistance, and infrastructure to national, regional, and community-based organizations working to educate the public on the virus that causes AIDS and stopping the spread of the disease;

(b) **REPORT.**—Not later than 6 months after the date of enactment of this Act, the Inspector General of the Department of Health and Human Services shall conduct an audit of all Federal amounts allocated for AIDS prevention programs and report to Congress with their finding.

**SA 2064.** Mr. REID (for Mr. SESSIONS) proposed an amendment to the bill

H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 73, after line 4, add the following:  
**SEC. 306.** (a) **FINDINGS.**—Congress makes the following findings:

(1) The number of students applying for loans and claiming to attend foreign institutions has risen from 4,594 students in 1993 to over 12,000 students in the 1998–1999 school year.

(2) Since 1995 there have been at least 25 convictions of students who fraudulently claimed they were attending a foreign institution, then cashed the check issued directly to them, and did not attend the foreign institution.

(3) Tighter disbursement controls are necessary to reduce the number of students fraudulently applying for loans under title IV of the Higher Education Act of 1965 and claiming they are going to attend foreign institutions. Funds should not be disbursed for attendance at a foreign institution unless the foreign institution can verify that the student is attending the institution.

(b) **STUDY AND REPORT.**—

(1) **STUDY.**—The Comptroller General shall conduct a study regarding—

(A) Federal student loan disbursements to students attending foreign schools; and

(B) fraud, waste, and abuse in the Federal Family Education Loan Program as the fraud, waste, and abuse relates to students receiving funding in order to attend a foreign school.

(2) **REPORT.**—The Comptroller General shall report to Congress regarding the results of the study.

(3) **REPORT CONTENTS.**—The report described in paragraph (2) shall—

(A) include information on whether or not there are standards that a foreign school must meet for an American student to attend and receive a federally guaranteed student loan;

(B) compare the oversight controls for loans dispensed to students attending foreign schools and domestic institutions;

(C) examine the default rates at foreign schools that enroll American students receiving federally guaranteed student loans and determine the number of students that are receiving loans in multiple years; and

(D) make recommendations for legislative changes that are required to ensure the integrity of the Federal Family Education Loan Program.

**SA 2065.** Mr. REID (for Mr. BROWNBACK) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 93, after line 12, insert:

**SEC. 520.** Nothing in Section 134 of H.R. 2217 shall be construed to overturn or otherwise effect the decision of the U.S. Court of Appeals for the Tenth Circuit in the case of *Sac and Fox Nation v. Norton*, 240 F.3d 1250 (10th Cir. 2001), or to permit gaming under the Indian Gaming Regulatory Act on lands described in Section 123 of Public Law 106–291 or any lands contiguous to such lands that have or have not been taken into trust by the Secretary of the Interior.

**SA 2066.** Mr. REID (for Mrs. CLINTON) proposed an amendment to the bill

H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 57, line 24, insert before the following: “: *Provided further*, That of the funds made available to carry out subpart 2 of part A of title IV of the Elementary and Secondary Education Act of 1965, as amended by H.R. 1 as passed by the Senate on June 19, 2001, \$9,000,000 shall be made available to enable the Secretary of Education to award grants to enable local educational agencies to address the needs of children affected by terrorist attacks, times of war or other major violent traumatic crises, including providing mental health services to such children, and \$1,000,000 shall be made available to enable the Secretary of Education, in consultation with the Secretary of Health and Human Services, to develop recommendations and models to assist communities in developing evacuation and parental notification plans for schools and other community facilities where children gather”.

**SA 2067.** Mr. REID (for Mr. TORRICELLI) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 22, after the period on line 3, insert the following:

**SEC. 103.** It is the sense of the Senate that amounts should be appropriated to provide dislocated worker employment and training assistance under the Workforce Investment Act to airport career centers (to be located with the Port Authority of New York and New Jersey) to enable such centers to provide services to workers in the airline and related industries (including group transportation and other businesses) who have been dislocated as a result of the September 11, 2001 attack on the World Trade Center.

**SA 2068.** Mr. REID (for Mr. TORRICELLI) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place in title I, insert the following:

**SEC. 104.** It is the sense of the Senate that amounts should be appropriated to provide adult employment and training activities to assist individuals with disabilities from New York and New Jersey who require vocational rehabilitative services as a result of the September 11, 2001 attack on the World Trade Center in order to permit such individuals to return to work or maintain employment.

**SA 2069.** Mr. REID (for Mr. TORRICELLI (for himself and Mr. CORZINE)) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 54, between lines 15 and 16, insert the following:

**SEC. 221.** It is the sense of the Senate that the Secretary of Health and Human Services

should fund and reimburse hospitals and medical facilities in States that have tested and treated federal workers that have been exposed to anthrax and continue to test and treat, federal workers that have been determined by the Centers for Disease Control and Prevention as to risk for exposure to anthrax.

**SA 2070.** Mr. REID (for Mr. TORRICELLI (for himself and Mr. REED)) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 54, between lines 15 and 16, insert the following:

SEC. 222. It is the sense of the Senate that the Secretary of Health and Human Services should ensure that each contract entered into between a State and an entity (including a health insuring organization and a medicaid managed care organization) that is responsible for the provision (directly or through arrangements with providers of services) of medical assistance under a State medicaid plan should provide for—

(1) compliance with mandatory blood lead screening requirements that are consistent with prevailing guidelines of the Centers for Disease Control and Prevention for such screening; and

(2) coverage of lead treatment services including diagnosis, treatment, and follow-up furnished for children with elevated blood lead levels in accordance with prevailing guidelines of the Centers for Disease Control and Prevention.

**SA 2071.** Mr. REID (for Mr. TORRICELLI (for himself and Mr. REED)) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 54, between lines 15 and 16, insert the following:

SEC. 223. It is the sense of the Senate that States should be authorized to use funds, provided under the State children's health insurance program under title XXI of the Social Security Act to—

(1) comply with mandatory blood lead screening requirements that are consistent with prevailing guidelines of the Centers for Disease Control and Prevention for such screening; and

(2) provide coverage of lead treatment services including diagnosis, treatment, and follow-up furnished for children with elevated blood lead levels in accordance with prevailing guidelines of the Centers for Disease Control and Prevention.

**SA 2072.** Mr. REID (for Mr. TORRICELLI (for himself and Mr. REED)) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 54, between lines 15 and 16, insert the following:

SEC. 224. It is the sense of the Senate that the Secretary of Health and Human Services should establish a program to improve the blood lead screening rates of States for chil-

dren under the age of 3 enrolled in the medicaid program under which, using State-specific blood lead screening data, the Secretary would annually pay a State an amount to be determined:

(1) For each 2 year-old child enrolled in the medicaid program in the State who has received the minimum required (for that age) screening blood lead level tests (capillary or venous samples) to determine the presence of elevated blood lead levels, as established by the Centers for Disease Control and Prevention.

(2) For each such child who has received such minimum required tests.

**SA 2073.** Mr. REID (for Mr. SPECTER) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 91, strike lines 13 through 18.

**SA 2074.** Mr. HUTCHINSON (for himself and Mr. NICKLES) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 22, between lines 3 and 4, insert the following:

SEC. . None of the funds made available under this Act shall be used under the National Labor Relations Act to make a finding of an unfair labor practice relating to a published, written, or posted no-solicitation or no-access rule that permits solicitation or access only for charitable, eleemosynary, or other beneficent purposes.

**SA 2075.** Mr. KYL (for himself, Mr. MCCAIN, Mrs. HUTCHISON, Mr. DOMENICI, Mr. ALLARD, and Mr. MURKOWSKI) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place add the following: "Notwithstanding any other provision of this Act, no appropriation contained in this Act for the purposes of school repair or renovation of state and local schools shall remain available beyond the current fiscal year unless assistance under such program is provided to meet the renovation or repair needs of Indian schools and schools receiving Impact Aid or under the jurisdiction of the Department of Defense or the Bureau of Indian Affairs prior to making such assistance available to other schools: Provided further, notwithstanding any other provision of this Act, the Secretary of Education is not authorized to expend or transfer unexpended balances of prior appropriations appropriated for the purposes of school repair or renovation of state and local schools to accounts corresponding to current appropriations provided in this Act: Provided, however, that such balances may be expended and so transferred if the unexpended balances are used for the purpose of providing assistance to meet the renovation or repair needs of Indian schools and schools receiving Impact Aid or under the jurisdiction of the Department of Defense or the Bureau of Indian Affairs prior to making such repair or renovation assistance available to other schools."

**SA 2076.** Mr. HARKIN (for Mr. MILLER) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 2, line 19 after "of such Act;" insert "of which \$3,500,000 is available for obligation October 1, 2001 until expended for carrying out the National Skills Standards Act of 1994;"

On page 2, beginning on line 24, strike out "and \$3,500,000 shall be for carrying out the National Skills Standards Act of 1994".

**SA 2077.** Mr. HARKIN proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 93, after line 12, insert the following:

SEC. 521. Amounts made available under this Act for the administrative and related expenses for departmental management for the Department of Labor, the Department of Health and Human Services, and the Department of Education, shall be reduced on a pro rata basis by \$98,500,000: Provided, That this provision shall not apply to the Food and Drug Administration and the Indian Health Service: Provided further, That not later than 15 days after the enactment of this Act, the Director of the Office of Management and Budget shall report to the Senate Committee on Appropriations the accounts subject to the pro rata reductions and the amount to be reduced in each account.

**SA 2078.** Mr. HARKIN (for Mr. FEINGOLD) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 22, line 18 after "Awareness Act," strike "\$5,488,843,000" and insert in its place "\$5,496,343,000".

On page 24, line 8 before the period insert the following: "Provided further, That of the moment provided for Rural Health Outreach Grants, \$12,500,000 shall be available to improve access to automatic external defibrillators in rural communities".

**SA 2079.** Mr. HARKIN (for Mr. GRAHAM) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 34, line 13, strike "\$3,073,446,000" and insert "\$3,088,456,000: Provided, that \$10,000,000 shall be made available to carry out subtitle C of title XXXVI of the Children's Health Act of 2000 (and the amendments made by such subtitle)".

**SA 2080.** Mr. HARKIN (for Mr. DEWINE) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:



On page 43, line 23, after the period, add the following:

"In addition, for such purposes, \$70,000,000 to carry out such section."

**SA 2081.** Mr. HARKIN (for Ms. LANDRIEU) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 57, line 24, before the period, add the following: "Provided further, That \$2,500,000 shall be available to carry out part E of title II, including administrative expenses associated with such part."

**SA 2082.** Mr. HARKIN (for Mrs. CLINTON) proposed an amendment to the bill H.R. 3061, making appropriations for the Department of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 34, line 13, before the period insert: "Provided further, That \$5,000,000 shall be made available for mental health providers serving public safety workers affected by disasters of national significance".

**SA 2083.** Mr. HARKIN (for Mr. HATCH for himself, Mr. REID, and Mr. DOMENICI) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 54, between lines 15 and 16, insert the following:

SEC. 225. For the Health Resources and Services Administration, \$5,000,000 for grants for education, prevention, and early detection of radiogenic cancers and diseases under section 417C of the Public Health Service Act (42 U.S.C. 285a-9) (as amended by the Radiation Exposure Compensation Act Amendments of 2000), of which \$1,000,000 shall be available to enter into a contract with the National Research Council under which the Council shall—

(1) review the most recent scientific information related to radiation exposure and associated cancers or other diseases;

(2) make recommendations to—

(A) reduce the length of radiation exposure requirements for any compensable illnesses under the Radiation Exposure Compensation Act (42 U.S.C. 2210 note); and

(B) include additional illnesses, geographic areas, or classes of individuals with the scope of compensation of such Act; and

(3) not later than June 30, 2003, prepare and submit to the Committee on Appropriations, Committee on Health, Education, Labor, and Pensions, and Committee on the Judiciary of the Senate and the Committee on Appropriations, Committee on Energy and Commerce, and Committee on the Judiciary of the House of Representatives, a report describing the findings made by the Council under paragraphs (1) and (2).

**SA 2084.** Mr. HARKIN (for Mr. BINGAMAN for himself, Mr. DASCHLE, Mr. KENNEDY, Mr. KERRY, and Mrs. MURRAY) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health

and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 40, line 16, strike "5.9" and insert "5.7".

On page 54, between lines 15 and 16, insert the following:

SEC. 522. Effective upon the date of enactment of this Act, \$200,000,000 of the amount appropriated under section 403(a)(4)(F) of the Social Security Act (42 U.S.C. 603(a)(4)(F)) is rescinded.

On page 54, line 25, strike "\$11,879,900,000, of which \$4,104,200,000" and insert "\$11,912,900,000, of which \$4,129,200,000".

On page 56, line 25, strike "\$8,717,014,000" and insert "\$8,723,014,000".

On page 57, line 18, strike "\$10,000,000" and insert "\$15,000,000".

On page 58, line 11, strike "\$516,000,000" and insert "\$616,000,000".

On page 64, line 16, strike "\$1,764,223,000" and insert "\$1,826,223,000".

**SA 2085.** Mr. HARKIN (for Mr. SMITH of New Hampshire) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. 226. It is the sense of the Senate that—

(1) the Secretary of Health and Human Services, acting through the Director of NIH and the Director of the National Institute of Mental Health (in this section referred to as the "Institute"), should expand and intensify research and related activities of the Institute with respect to post-abortion depression and post-abortion psychosis (in this section referred to as "post-abortion conditions");

(2) the Director of the Institute should coordinate the activities of the Director under paragraph (1) with similar activities conducted by the other national research institutes and agencies of the National Institutes of Health to the extent that such Institutes and agencies have responsibilities that are related to post-abortion conditions;

(3) in carrying out paragraph (1)—

(A) the Director of the Institute should conduct or support research to expand the understanding of the causes of, and to find a cure for, post-abortion conditions; and

(B) activities under such paragraph should include conducting and supporting the following:

(i) basic research concerning the etiology and causes of the conditions;

(ii) epidemiological studies to address the frequency and natural history of the conditions and the differences among racial and ethnic groups with respect to the conditions;

(iii) the development of improved diagnostic techniques;

(iv) clinical research for the development and evaluation of new treatments, including new biological agents; and

(v) information and education programs for health care professionals and the public; and

(4)(A) the Director of the Institute should conduct a national longitudinal study to determine the incidence and prevalence of cases of post-abortion conditions, and the symptoms, severity, and duration of such cases, toward the goal of more fully identifying the characteristics of such cases and developing diagnostic techniques; and

(B) beginning not later than 3 years after the date of the enactment of this Act, and periodically thereafter for the duration of the study under subparagraph (A), the Direc-

tor of the Institute should prepare and submit to the Congress reports on the findings of the study.

**SA 2086.** Mr. HARKIN (for Mr. LIEBERMAN) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; and follows:

At the appropriate place, insert the following:

SEC. 227. Section 582 of the Public Health Service Act (42 U.S.C. 290hh-1(f) is amended by adding at the end the following:

"(g) SHORT TITLE.—This section may be cited as the 'Donald J. Cohen National Child Traumatic Stress Initiative'."

**SA 2087.** Mr. HARKIN proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 73, between lines 4 and 5, insert the following:

SEC. 307. The requirement of section 415C(b)(8) of the Higher Education Act of 1965 (20 U.S.C. 1070c-2(b)(8)) shall not apply to a State program during fiscal year 2001 and the State expenditures under the State program for fiscal year 2001 shall be disregarded in calculating the maintenance of effort requirement under that section for each of the fiscal years 2002 through 2004, if the State demonstrates, to the satisfaction of the Secretary of Education, that it—

(1) allocated all of the funds that the State appropriated in fiscal year 2001 for need-based scholarship, grant, and work study assistance to the programs described in subpart 4 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070c et seq.); and

(2) did not participate in the program described in section 415E of the Higher Education Act of 1965 (20 U.S.C. 1070c-3a) in fiscal year 2001.

## NOTICES OF HEARINGS/MEETINGS

### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs will hold a hearing entitled "Review of INS Policy on Releasing Illegal Aliens Pending Deportation Hearing." The upcoming subcommittee hearing will examine how the Immigration and Naturalization Service, INS, processes persons arrested for illegal entry into the United States outside ports of entry, as well as the difference between procedures used at ports of entry and procedures used outside ports of entry for persons seeking or obtaining illegal entry into the United States. The hearing will ask the question whether current procedures makes sense in light of the September 11 terrorist attack and our ongoing effort to defeat terrorism.

The hearing will take place on Tuesday, November 13, 2001, at 9:30 a.m., in room 342 of the Dirksen Senate Office