By Mr. SMITH of New Hampshire:

S. 907. A bill to protect the right to life of each born and preborn human person in existence at fertilization; to the Committee on the Judiciary.

By Mr. DORGAN:

S. 908. A bill to establish a comprehensive program to ensure the safety of food products intended for human consumption that are regulated by the Food and Drug Administration, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HAGEL (for himself and Mr. KERREY):

S. Res. 88. A resolution relative to the death of the Honorable Roman L. Hruska, formerly a Senator from the State of Nebraska; considered and agreed to.

By Mr. MCCONNELL:

S. Res. 89. A resolution designating the Henry Clay Desk in the Senate Chamber for assignment to the senior Senator from Kentucky at that Senator's request; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CLELAND:

S. 894. A bill to amend title 5, United States Code, to provide for the establishment of a program under which long-term care insurance is made available to Federal employees and annuitants, and for other purposes; to the Committee on Governmental Affairs.

FEDERAL CIVILIAN AND UNIFORMED SERVICES LONG-TERM CARE INSURANCE ACT OF 1999

Mr. CLELAND. Mr. President, in support of the need for an initiative to help address the growing long-term care needs of Americans, I am pleased to introduce the Federal Civilian and Uniformed Services Long-Term Care Insurance Act of 1999 in the Senate.

The Administration proposed a plan to offer long-term health care insurance to federal civilian employees. Under my bill, the administration's proposal is expanded to include federal civilian and uniformed services employees, as well as foreign service employees. This non-subsidized, quality private long-term care insurance option can then be offered at an affordable group rate. It is anticipated that 300,000 Federal employees and 200,000 uniformed services employees would voluntarily participate in such a long-term insurance plan. With such participation, the Federal government could truly serve as the model for employers for long-term care insurance.

The bill would make the following groups eligible for the long-term care insurance: Civilian employees after continuously working for the federal government for 6 months, Foreign Service employees, civilian annuitants upon retirement, members of the Armed Services, retired members of the Armed Services, and designated relatives, like parents and parents-in-laws.

The bill also offers: (1) portability of this benefit regardless of future federal or military employment as long as the monthly premium is paid on a time, (2) a choice of plans to meet the insurer's needs from up to three insurance carriers, and (3) a choice of cash or service benefits (such as expense-incurred or indemnity method). Costs for this program are anticipated to be no more than $15 million for OPM administrative expenses.

The price of long-term care is very expensive both in terms of the financial and emotional burden to families. In 1997, Medicare and Medicaid spent $15.4 billion providing home health care to Americans. In that same year, nursing home care cost American taxpayers approximately $16.9 billion. What I am proposing is legislating the ability to maintain self-reliance. The Federal Civilian and Uniformed Services Long-Term Care Insurance Act of 1999 is an important step to providing ''affordable, high-quality long-term care.'' I urge my colleagues to support it.

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

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

S. 894

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 ''Federal Civilian and Uniformed Services Long-Term Care Insurance Act of 1999''.

SEC. 2. LONG-TERM CARE INSURANCE.

Subpart G of part III of title 5, United States Code, is amended by adding after chapter 89 the following:

''Chapter 90—Long-Term Care Insurance

''Sec.
''9001. Definitions.
''9002. Eligibility to obtain coverage.
''9003. Contracting authority.
''9004. Long-term care benefits.
''9005. Financing.
''9006. Regulations.

''§ 9001. Definitions

''For purposes of this chapter, the term—

''(1) 'activities of daily living' includes—

''(A) eating;

''(B) toileting;

''(C) transferring;

''(D) bathing;

''(E) dressing; and

''(F) continence;

''(2) 'annuitant' has the meaning such term would have under section 8901(3) if, for purposes of such paragraph, the term 'employee' were considered to have the meaning under paragraph (7) of this section;

''(3) 'appropriate Secretary' means—

''(A) except as otherwise provided in this paragraph, the Secretary of Defense;

''(B) with respect to the United States Coast Guard when it is not operating as a service of the Navy, the Secretary of Transportation;

''(C) with respect to the commissioned corps of the National Oceanic and Atmospheric Administration, the Secretary of Commerce;

''(D) with respect to the commissioned corps of the Public Health Service, the Secretary of Health and Human Services; and

''(E) with respect to members of the Foreign Service, the Secretary of State;

''(4) 'assisted living facility' has the meaning given such term under section 232 of the National Housing Act (12 U.S.C. 1715w);

''(5) 'carrier' means a voluntary association, corporation, partnership, or other nongovernmental organization that is lawfully engaged in providing, paying for, or reimbursing the cost of, qualified long-term care services under group insurance policies or contracts, or similar group arrangements, in consideration of premiums or other periodic charges payable to the carrier;

''(6) 'eligible individual' means—

''(A) an employee who has completed 6 months of continuous service as an employee under other than a temporary appointment limited to 6 months or less;

''(B) an annuitant;

''(C) a member of the uniformed services on active duty for a period of more than 30 days or full-time National Guard duty (as defined under section 101(d)(5) of title 10) who satisfies such eligibility requirements as the Office prescribes under section 9006(c);

''(D) a member of the uniformed services entitled to retired or retainer pay (other than under chapter 1223 of title 10) who satisfies such eligibility requirements as the Office prescribes under section 9006(c);

''(E) a member of the Foreign Service who—

''(i) is described under section 103(1), (2), (3), (4), or (5) of the Foreign Service Act of 1980 (22 U.S.C. 3903(1), (2), (3), (4), or (5); and

''(ii) satisfies such eligibility requirements as the Office prescribes under sanction 9006(c);

''(F) a member of the Foreign Service entitled to an annuity under the Foreign Service Retirement and Disability System or the Foreign Service Pension System who satisfies such eligibility requirements as the Office prescribes under section 9006(c); or

''(G) a qualified relative of a sponsoring individual;

''(7) 'employee' means—

''(A) an employee as defined under section 8901(1) (A) through (H); and

''(B) an individual described under section 2105(e);

''(8) 'home and community care' has the meaning given such term under section 1929 of the Social Security Act (42 U.S.C. 1396t(a));

''(9) 'long-term care benefits plan' means a group insurance policy or contract, or similar group arrangement, provided by a carrier for the purpose of providing, paying for, or reimbursing expenses for qualified long-term care services;

''(10) 'nursing home' has the meaning given such term under section 1908 of the Social Security Act (42 U.S.C. 1396g(e)(1));

''(11) 'Office' means the Office of Personnel Management;

''(12) 'qualified long-term care services' has the meaning given such term under section 7702B of the Internal Revenue Code of 1986;

''(13) 'qualified relative', as used with respect to a sponsoring individual, means—

''(A) the spouse of such sponsoring individual;

''(B) a parent or parent-in-law of such sponsoring individual; and

''(C) any other person bearing a relationship to such sponsoring individual specified by the Office in regulations; and

''(14) 'sponsoring individual' refers to an individual described under paragraph (6)(A), (B), (C), or (D).

''§ 9002. Eligibility to obtain coverage

''(a) Any eligible individual may obtain long-term care insurance coverage under this chapter for such individual.

''(b)(1) As a condition for obtaining long-term care insurance coverage under this

chapter based on an individual's status as a qualified relative, certification from the applicant's sponsoring individual shall be required as to—

''(A) such sponsoring individual's status, as described under section 9001(6)(A), (B), (C), or (D) (as applicable), as of the time of the qualified relative's application for coverage; and

''(B) the existence of the claimed relationship as of that time.

''(2) Any certification under paragraph (1) shall be submitted at such time and in such form and manner as the Office shall by regulation prescribe.

''(c) Nothing in this chapter shall be considered to require that long-term care insurance coverage be made available in the case of any individual who would be immediately benefit eligible.

''§ 9003. Contracting authority

''(a) Without regard to section 3709 of the Revised Statutes or other statute requiring competitive bidding, the Office may contract with qualified carriers to provide group long-term care insurance under this chapter, except that the Office may not have contracts in effect under this section with more than 3 qualified carriers.

''(b) To be considered a qualified carrier under this chapter, a company shall be licensed to issue group long-term care insurance in all the States and the District of Columbia.

''(c)(1) Each contract under this section shall contain a detailed statement of the benefits offered (including any maximums, limitations, exclusions, and other definitions of benefits), the rates charged (including any limitations or other conditions on any subsequent adjustment), and such other terms and conditions as may be mutually agreed to by the Office and the carrier involved, consistent with the requirements of this chapter.

''(2) The rates charged under any contract under this section shall reasonably reflect the cost of the benefits provided under such contract.

''(d) The benefits and coverage made available to individuals under any contract under this section shall be guaranteed to be renewable and may not be canceled by the carrier except for nonpayment of charges.

''(e) Each contract under this section shall require the carrier to agree to—

''(1) pay or provide benefits in an individual case if the Office (or a duly designated third-party administrator) finds that the individual involved is entitled to such payment or benefit under the contract; and

''(2) participate in administrative procedures designed to bring about the expeditious resolution of disputes arising under such contract, including, in appropriate circumstances, 1 or more alternative means of dispute resolution.

''(f)(1)(A) Subject to subparagraph (B), each contract under this section shall be for a term of 5 years, but may be made automatically renewable from term to term in the absence of notice of termination by either party.

''(B) The rights and responsibilities of the enrolled individual, the insurer, and the Office (or duly designated third-party administrator) under any such contract shall continue until the termination of coverage of the enrolled individual.

''(2) Group long-term care insurance coverage obtained by an individual under this chapter shall terminate only upon the occurrence of—

''(A) the death of the insured;

''(B) exhaustion of benefits, as determined under the contract;

''(C) insolvency of the insurer, as determined under the contract; or

''(D) any event justifying a cancellation under subsection (d).

''(3) Subject to paragraph (2), each contract under this section shall include such provisions as may be necessary to—

''(A) effectively preserve all parties' rights and responsibilities under such contract notwithstanding the termination of such contract (whether due to nonrenewal under paragraph (1) or otherwise); and

''(B) ensure that, once an individual becomes duly enrolled, long-term care insurance coverage obtained by such individual under that enrollment shall not be terminated due to any change in status (as described under section 9001(6)), such as separation from Government service or the uniformed services, or ceasing to meet the requirements for being considered a qualified relative (whether due to divorce or otherwise).

''§ 9004. Long-term care benefits

''(a) Benefits under this chapter shall be provided under qualified long-term care insurance contracts, within the meaning of section 7702B of the Internal Revenue Code of 1986.

''(b) Each contract under section 9003, in addition to any matter otherwise required under this chapter, shall provide for—

''(1) adequate consumer protections (including through establishment of sufficient reserves or reinsurance);

''(2) adequate protections in the event of carrier bankruptcy (or other similar event);

''(3) availability of benefits upon appropriate certification as to an individual's—

''(A) inability (without substantial assistance from another individual) to perform at least 2 activities of daily living for a period of at least 90 days due to a loss of functional capacity;

''(B) having a level of disability similar (as determined under regulations prescribed by the Secretary of the Treasury in consultation with the Secretary of Health and Human Services) to the level of disability described in subparagraph (A); or

''(C) requiring substantial supervision to protect such individual from threats to health and safety due to severe cognitive impairment;

''(4) choice of cash or service benefits (such as the expense-incurred method or the indemnity method);

''(5) inflation protection (whether through simple or compounded adjustment of benefits); and

''(6) portability of benefits (consistent with section 9003 (d) and (f)).

''(c) To the maximum extent practicable, at least 1 of the policies being offered under this chapter shall, in addition to any matter otherwise required under this chapter, provide for—

''(1) length-of-benefit options;

''(2) options relating to the provision of coverage in a variety of settings, including nursing homes, assisted living facilities, and home and community care;

''(3) options relating to elimination periods;

''(4) options relating to nonforfeiture benefits; and

''(5) availability of benefits upon appropriate certification of medical necessity (as defined by the Office in consultation with the Secretary of Health and Human Services) not satisfying the requirements of subsection (b)(3).

''(d)(1) The Office shall take all practicable measures to ensure that, at least 1 of the long-term care benefits plans available under this chapter shall be a Governmentwide long-term care benefits plan.

''(2) Neither subsection (c)(5) nor the exception under subsection (e) shall apply with respect to any Governmentwide plan under this subsection.

''(e) Nothing in this chapter shall be considered to permit or require the inclusion, in any contract, of provisions inconsistent with section 7702B of the Internal Revenue Code of 1986 or any other provision of such Code (except to the extent necessary to carry out subsection (c)(5)).

''(f) If a State (or the District of Columbia) imposes any requirement which is more stringent than the requirement imposed by subsection (b)(1), the requirement imposed by subsection (b)(1) shall be treated as met if the more stringent requirement of the State (or the District of Columbia) is met.

''§ 9005. Financing

''(a) Except as provided in subsection (b)(2), each individual having long-term care insurance coverage under this chapter shall be responsible for 100 percent of the charges for such coverage.

''(b)(1) The amount necessary to pay the charges for enrollment shall—

''(A) in the case of an employee, be withheld from the pay of such employee;

''(B) in the case of an annuitant, be withheld from the annuity of such annuitant;

''(C) in the case of a member of the uniformed services described under section 9001(6)(C), be withheld from the basic pay of such member; and

''(D) in the case of a member of the uniformed services described in section 9001(6)(D), be withheld from the retired pay or retainer pay payable to such member.

''(2) Withholdings to pay the charges for enrollment of a qualified relative may, upon election of the sponsoring individual involved, be withheld under paragraph (1) in the same manner as if enrollment were for such sponsoring individual.

''(3) All amounts withheld under paragraph (1) or (2) shall be paid directly to the carrier.

''(c)(1) Any enrollee whose pay, annuity, or retired or retainer pay (as referred to in subsection (b)(1)) is insufficient to cover the withholding required for enrollment (or who is not receiving any regular amounts from the Government, as referred to in subsection (b)(1), from which any such withholdings may be made) shall pay an amount described under paragraph (2) (or, in the case of an enrollee not receiving any regular amounts, the full amount of those charges) directly to the carrier.

''(2) The amount referred to under paragraph (1) is the amount equal to the difference between the amount of withholding required for the enrollment and the amount actually withheld.

''(d) Each carrier participating under this chapter shall maintain all amounts received under this chapter separate from all other funds.

''(e) Contracts under this chapter shall include appropriate provisions under which each carrier shall reimburse the Office or other administering entity for the administrative costs incurred by the Office or such entity under this chapter (such as for dispute resolution) which are allocable to such carrier.

''§ 9006. Regulations

''(a) The Office shall prescribe regulations necessary to carry out this chapter.

''(b)(1) Subject to paragraph (2), the regulations of the Office shall prescribe the time at which and the manner and conditions under which an individual may obtain long-term care insurance under this chapter.

''(2) The regulations prescribed under this section shall provide for an open enrollment period at least once each year (similar to the open enrollment period provided under section 8905(f)).

''(c) Any regulations necessary to effect the application and operation of this chapter

with respect to an eligible individual or a qualified relative of such individual shall be prescribed by the Office in consultation with the appropriate Secretary.''.

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall take effect on the date of enactment of this Act, except that no coverage may become effective before the first calendar year beginning after the expiration of the 18-month period beginning on the date of enactment of this Act.

By Mr. LIEBERMAN (for himself, Mr. SANTORUM, Mr. DURBIN, Mr. ABRAHAM, Mr. ROBB, and Mr. KERREY):

S. 895. A bill to provide for the establishment of Individual Development Accounts (IDAs) that will allow individuals and families with limited means an opportunity to accumulate assets, to access education, to own their own homes and businesses, and ultimately to achieve economic self-sufficiency, and for other purposes; to the Committee on Finance.

SAVINGS FOR WORKING FAMILIES ACT

• Mr. LIEBERMAN. Mr. President, with the economy in its 9th year of record growth, unemployment the lowest its been in over 25 years, and the stock market at an all time high, the following is worth noting:

Fully a third of all American households have no financial assets to speak of.

Another 20 percent have only negligible financial assets.

Almost half of all American children live in households that have no financial assets.

Over 10 million Americans don't even have a bank account.

In our efforts to foster policies that encourage economic growth, we have not done enough for the group that needs it the most—hardworking low income Americans. We have established tax credits for retirement plans, for home mortgages, for college education, and so on, all of which make for good policy. The problem is that to take advantage of these policies, you must already have some wealth. You must already have some assets. To put it plainly, you cannot benefit from a home mortgage credit if you do not have the wealth to buy a home.

So the challenge becomes creating a policy that helps low-income Americans reach the point where they can take advantage of these benefits. Any such policy must start with encouraging saving. Saving is empowering. It allows families to weather the bad times, to live without aid, and to deal with emergencies. Saving is also the first step to building assets.

And having assets is a prerequisite for taking part in this economy. That is because assets offer a way up. Whether it is a home, an education, or a small business, assets can be leveraged to deal with the bad times and usher in the good. That is why I believe that our tax policies should provide more incentives for asset building.

So Mr. President today along with Senators SANTORUM, DURBIN, ABRAHAM, ROBB, and KERREY of Nebraska, I offer tax legislation aimed at building assets for low-income families. The Savings for Working Families Act is centered around Individual Development Accounts (IDAs), an idea of Dr. Michael Sherraden of Washington University: create a savings account for low income workers that can be used to acquire assets, and allow the saver to receive matching funds towards the purchase of those assets.

The Savings for Working Families Act allows for the creation by federally insured banks and credit unions of IDAs for U.S. citizens or legal residents aged 18 or over, with a household income of not more than 60 percent of area median income, and a household net worth that does not exceed $10,000 excluding home equity and the value of one car.

The federal government will provide tax credits of up to $300 per account to financial institutions to reimburse them for providing matching funds for IDAs. All other sources of matching funds are welcome as well, including employers, charitable organizations, and the banks themselves.

Before an individual can use money from an IDA, he or she must complete an economic literacy course that will be offered by participating banks and community organizations. The course will teach about saving, banking, investing, and IDAs. Two years from its establishment the Act requires the Secretary of the Treasury to review the program for its cost-effectiveness and make recommendations as necessary to the Congress. We expect a cost of $200–500 million per year.

This is not a handout. Because only earned income is matched, IDAs only help those who are already trying to help themselves. Small IDA programs already exist across the country and have been overwhelmingly successfully. IDAs change the outlook of the saver. When you have assets, you have a stake in the economy, and you act to protect that stake.

For example, in Stamford, Connecticut a receptionist named Scharlene is saving to start her own business through the CTE IDA program. She had always thought of her interest in jewelry as a hobby. But after working with CTE IDA program she has not only saved over $700, but has also learned the basics of running a business. I met Scharlene, and I can tell you that win or lose, she is on the path to success. I might also add that the Connecticut State Treasurer, Ms. Denise Nappier, is also investigating ways to set up a state-side IDA program, and I would like to commend her for her efforts.

In the Sierra Ridge, Texas IDA program describes the case of Charles, a 38 year old divorced father of two. He uses that IDA program to save money for his children's education. Charles says that since he entered the program he thinks more about where his money goes: ''Having to commit to a long term goal makes us more aware that our decisions today could have consequences for tomorrow.'' His oldest daughter is planning on attending college in two years.

Another example comes from a Bonneville, Kentucky IDA program. There, Pam, a 37 year old factory worker and mother of two, has been saving to start her own business. ''I want to start a business and I will,'' Pam said. Together with the matching funds she has saved over $1700 towards a combination dry cleaners/video store. Her reasons are simple: ''I want more for my children.''

IDAs are good for business too. Financial institutions like IDAs because they bring some of the 10 million ''unbanked'' Americans into the system, and because it allows them to support low-income communities in a way that will ultimately be profitable for them. This is an idea that gives the right incentives to a deserving group in an effective and efficient manner. It is an idea that represents at once both our support of equal opportunity and our emphasis on self reliance. It is an idea whose time has come.

Mr. President, with Senators SANTORUM, DURBIN, ABRAHAM, ROBB, and KERREY of Nebraska, I introduce the Savings for Working Families Act. I ask that the text of this bill be included in the RECORD.

The bill follows:

S. 895

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Savings for Working Families Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Purposes.
Sec. 4. Definitions.

TITLE I—INDIVIDUAL DEVELOPMENT ACCOUNTS FOR LOW-INCOME WORKERS

Sec. 101. Structure and administration of individual development account programs.
Sec. 102. Procedures for opening an Individual Development Account and qualifying for matching funds.
Sec. 103. Contributions to Individual Development Accounts.
Sec. 104. Deposits by qualified financial institutions.
Sec. 105. Withdrawal procedures.
Sec. 106. Certification and termination of individual development account programs.
Sec. 107. Reporting and evaluation.
Sec. 108. Funds in parallel accounts of program participants disregarded for purposes of all means-tested Federal programs.

TITLE II—INDIVIDUAL DEVELOPMENT ACCOUNT INVESTMENT CREDITS

Sec. 201. Matching funds for Individual Development Accounts provided through a tax credit for qualified financial institutions.
Sec. 202. CRA credit provided for individual development account programs.
Sec. 203. Designation of earned income tax credit payments for deposit to Individual Development Account.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) One-third of all Americans have no assets available for investment, and another 20 percent have only negligible assets. The household savings rate of the United States lags far behind other industrial nations, presenting a barrier to national economic growth and preventing many Americans from entering the economic mainstream by buying a house, obtaining an adequate education, or starting a business.

(2) By building assets, Americans can improve their economic independence and stability, stimulate the development of human and other capital, and work toward a viable and hopeful future for themselves and their children. Thus, economic well-being does not come solely from income, spending, and consumption, but also requires savings, investment, and accumulation of assets.

(3) Traditional public assistance programs based on income and consumption have rarely been successful in promoting and supporting the transition to increased economic self-sufficiency. Income-based social policies that meet consumption needs (including food, child care, rent, clothing, and health care) should be complemented by asset-based policies that can provide the means to achieve long-term independence and economic well-being.

(4) Individual Development Accounts (IDAs) can provide working Americans with strong incentives to build assets, basic financial management training, and access to secure and relatively inexpensive banking services.

(5) There is reason to believe that Individual Development Accounts would also foster greater participation in electric fund transfers (EFT), generate financial returns, including increased income, tax revenue, and decreased welfare cash assistance, that will far exceed the cost of public investment in the program.

SEC. 3. PURPOSES.

The purposes of this Act are to provide for the establishment of individual development accounts projects that will—

(1) provide individuals and families with limited means an opportunity to accumulate assets and to enter the financial mainstream;

(2) promote education, homeownership, and the development of small businesses; and

(3) stabilize families and build communities.

SEC. 4. DEFINITIONS.

As used in this Act:

(1) ELIGIBLE INDIVIDUAL.—

(A) IN GENERAL.—The term ''eligible individual'' means an individual who—

(i) has attained the age of 18 years;

(ii) is a citizen or legal resident of the United States; and

(iii) is a member of a household—

(I) which is eligible for the earned income tax credit under section 32 of the Internal Revenue Code of 1986,

(II) which is eligible for assistance under a State program funded under part A of title IV of the Social Security Act, or

(III) the gross income of which does not exceed 60 percent of the area median income (as determined by the Department of Housing and Urban Affairs) and the net worth of which does not exceed $10,000.

(B) HOUSEHOLD.—The term ''household'' means all individuals who share use of a dwelling unit as primary quarters for living and eating separate from other individuals.

(C) DETERMINATION OF NET WORTH.—

(i) IN GENERAL.—For purposes of subparagraph (A)(iii)(II), the net worth of a household is the amount equal to—

(I) the aggregate fair market value of all assets that are owned in whole or in part by any member of a household, minus

(II) the obligations or debts of any member of the household.

(ii) CERTAIN ASSETS DISREGARDED.—For purposes of determining the net worth of a household, a household's assets shall not be considered to include the primary dwelling unit and 1 motor vehicle owned by the household.

(2) INDIVIDUAL DEVELOPMENT ACCOUNT.—The term ''Individual Development Account'' means a custodial account established for an eligible individual as part of an individual development account program established under section 101, but only if the written governing instrument creating the account meets the following requirements:

(A) No contribution will be accepted unless it is in cash, by check, or by electronic fund transfer.

(B) The custodian of the account is a qualified financial institution.

(C) The assets of the account will not be commingled with other property except in a common trust fund or common investment fund.

(D) Except as provided in section 105(b), any amount in the account may be paid out only for the purpose of paying the qualified expenses of the eligible individual.

(3) QUALIFIED FINANCIAL INSTITUTION.—

(A) IN GENERAL.—The term ''qualified financial institution'' means any federally insured financial institution, including any bank, trust company, savings bank, building and loan association, savings and loan company or credit union.

(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed as preventing an organization described in subparagraph (A) from collaborating with 1 or more community-based, not-for-profit organizations described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code to carry out an individual development account program established under section 101, including serving as a custodian for any Individual Development Account.

(4) QUALIFIED EXPENSES.—The term ''qualified expenses'' means, with respect to an eligible individual, 1 or more of the following paid from an Individual Development Account and from a separate, parallel individual or pooled account, as provided by a qualified financial institution:

(A) POST-SECONDARY EDUCATIONAL EXPENSES.—Post-secondary educational expenses paid directly to an eligible educational institution. In this subparagraph:

(i) POST-SECONDARY EDUCATIONAL EXPENSES.—The term ''post-secondary educational expenses'' means the following:

(I) TUITION AND FEES.—Tuition and fees required for the enrollment or attendance of a student at an eligible educational institution.

(II) FEES, BOOKS, SUPPLIES AND EQUIPMENT.—Fees, books, supplies, and equipment required for courses of instruction at an eligible educational institution.

(ii) ELIGIBLE EDUCATIONAL INSTITUTION.—The term ''eligible educational institution'' means the following:

(I) INSTITUTION OF HIGHER EDUCATION.—An institution described in section 481(a) or 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1088(a)(1) or 1141(a)), as such sections are in effect on the date of enactment of this Act.

(II) POST-SECONDARY VOCATIONAL EDUCATION SCHOOL.—An area vocational education school (as defined in subparagraph (c) or (d) of section 521(4) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2471(a))) which is in any State (as defined in section 521(33) of such Act), as such sections are in effect on the date of enactment of this Act.

(B) FIRST-HOME PURCHASE.—Qualified acquisition costs with respect to a qualified principal residence for a qualified first-time home buyer, if paid directly to the persons to whom the amounts are due. In this subparagraph:

(i) QUALIFIED ACQUISITION COSTS.—The term ''qualified acquisition costs'' means the cost of acquiring, constructing, or reconstructing a residence. The term includes any usual or reasonable settlement, financing, or other closing costs.

(ii) QUALIFIED PRINCIPAL RESIDENCE.—The term ''qualified principal residence'' means a principal residence (within the meaning of section 121 of the Internal Revenue Code of 1986).

(iii) QUALIFIED FIRST-TIME HOME BUYER.—

(I) IN GENERAL.—The term ''qualified first-time home buyer'' means an individual participating in an individual development account program (and, if married, the individual's spouse) who has no present ownership interest in a principal residence during the three-year period ending on the date of acquisition of the principal residence to which this subparagraph applies.

(II) DATE OF ACQUISITION.—The term ''date of acquisition'' means the date on which a binding contract to acquire, construct or reconstruct the principal residence to which this subparagraph applies is entered into.

(C) BUSINESS CAPITALIZATION.—Amounts paid directly to a business capitalization account which is established in a qualified financial institution and is restricted to use solely for qualified business capitalization expenses. In this subparagraph:

(i) QUALIFIED BUSINESS CAPITALIZATION EXPENSES.—The term ''qualified business capitalization expense'' means qualified expenditures for the capitalization of a qualified business pursuant to a qualified plan.

(ii) QUALIFIED EXPENDITURES.—The term ''qualified expenditures'' means expenditures included in a qualified plan, including capital, plant, equipment, working capital and inventory expenses.

(iii) QUALIFIED BUSINESS.—The term ''qualified business'' means any business that does not contravene any law or public policy (to be determined by the Secretary).

(iv) QUALIFIED PLAN.—The term ''qualified plan'' means a business plan, or a plan to use a business asset purchased, which—

(I) is approved by a financial institution, a micro enterprise development organization, or a nonprofit loan fund having demonstrated fiduciary integrity;

(II) includes a description of services or goods to be sold, a marketing plan, and projected financial statements; and

(III) may require the eligible individual to obtain the assistance of an experienced entrepreneurial adviser.

(D) QUALIFIED ROLLOVERS.—Amounts paid as qualified rollovers. In this subparagraph, the term ''qualified rollover'' means any amount paid directly—

(i) to another Individual Development Account established for the benefit of the eligible individual in another qualified financial institution, or

(ii) if such eligible individual dies, to an Individual Development Account established for the benefit of another eligible individual within 30 days of the date of death.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

TITLE I—INDIVIDUAL DEVELOPMENT ACCOUNTS FOR LOW-INCOME WORKERS

SEC. 101. STRUCTURE AND ADMINISTRATION OF INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAMS.

(a) ESTABLISHMENT OF INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAMS.—Any qualified financial institution may establish 1 or more individual development account programs which meet the requirements of this Act either on its own initiative or in partnership with community-based, not-for-profit organizations.

(b) BASIC PROGRAM STRUCTURE.—

(1) IN GENERAL.—All individual development account programs shall consist of the following 2 components:

(A) An Individual Development Account to which an eligible individual may contribute money in accordance with section 103.

(B) A separate, parallel individual or pooled account to which all matching funds shall be deposited in accordance with section 104.

(2) TAILORED IDA PROGRAMS.—A qualified financial institution may tailor its individual development account program to allow matching funds to be spent on 1 or more of the categories of qualified expenses.

(c) NUMBER OF ACCOUNTS.—

(1) IN GENERAL.—The average number of active Individual Development Accounts in an individual development account program at any 1 banking office of a qualified financial institution shall be limited to the applicable limit.

(2) APPLICABLE LIMIT.—For purposes of this title, the applicable limit shall be determined in accordance with the following table:

"Calendar year:	Applicable Limit:
2000	100
2001	200
2002	300
2003	400
2004 and thereafter	500.

(d) TAX TREATMENT OF ACCOUNTS.—Any account described in subparagraph (B) of subsection (b)(1) is exempt from taxation under the Internal Revenue Code of 1986 unless such account has ceased to be such an account by reason of section 105(c) or the termination of the individual development account program under section 106(b).

SEC. 102. PROCEDURES FOR OPENING AN INDIVIDUAL DEVELOPMENT ACCOUNT AND QUALIFYING FOR MATCHING FUNDS.

(a) OPENING AN ACCOUNT.—An eligible individual must open an Individual Development Account with a qualified financial institution and contribute money in accordance with section 103 to qualify for matching funds in a separate, parallel individual or pooled account.

(b) REQUIRED COMPLETION OF ECONOMIC LITERACY COURSE.—Before becoming eligible to withdraw matching funds to pay for qualified expenses, holders of Individual Development Accounts must complete an economic literacy course offered by the qualified financial institution, a nonprofit organization, or a government entity.

SEC. 103. CONTRIBUTIONS TO INDIVIDUAL DEVELOPMENT ACCOUNTS.

(a) IN GENERAL.—Except in the case of a qualified rollover, individual contributions to an Individual Development Account will not be accepted for the taxable year in excess of an amount equal to the compensation (as defined in section 219(f)(1) of the Internal Revenue Code of 1986) includible in the individual's gross income for such taxable year.

(b) PROOF OF COMPENSATION AND STATUS AS AN ELIGIBLE INDIVIDUAL.—Federal W–2 forms and other forms specified by the Secretary proving the eligible individual's wages and other compensation and the status of the individual as an eligible individual shall be presented to the custodian at the time of the establishment of the Individual Development Account and at least once annually thereafter.

(c) TIME WHEN CONTRIBUTIONS DEEMED MADE.—For purposes of this section, a taxpayer shall be deemed to have made a contribution to an Individual Development Account on the last day of the preceding taxable year if the contribution is made on account of such taxable year and is made not later than the time prescribed by law for filing the Federal income tax return for such taxable year (not including extensions thereof).

(d) CROSS REFERENCE.—

For designation of earned income tax credit payments for deposit to an Individual Development Account, see section 32(o) of the Internal Revenue Code of 1986.

SEC. 104. DEPOSITS BY QUALIFIED FINANCIAL INSTITUTIONS.

(a) SEPARATE, PARALLEL INDIVIDUAL OR POOLED ACCOUNTS.—The qualified financial institution shall deposit all matching funds for each Individual Development Account into a separate, parallel individual or pooled account. The parallel account or accounts shall earn not less than the market rate of interest.

(b) REGULAR DEPOSITS OF MATCHING FUNDS.—

(1) IN GENERAL.—Subject to paragraph (2), the qualified financial institution shall deposit not less than quarterly into the separate, parallel account with respect to each eligible individual the following:

(A) A dollar-for-dollar match for the first $300 contributed by the eligible individual into an Individual Development Account with respect to any taxable year.

(B) Any matching funds provided by State, local, or private sources in accordance to the matching ratio set by those sources.

(2) CROSS REFERENCE.—

For allowance of tax credit to qualified financial institutions for Individual Development Account subsidies, including matching funds, see section 30B of the Internal Revenue Code of 1986.

(c) FORFEITURE OF MATCHING FUNDS.—Matching funds that are forfeited under section 105(b) shall be used by the qualified financial institution to pay matches for other Individual Development Account contributions by eligible individuals.

(d) EXCLUSION FROM INCOME.—Gross income of an eligible individual shall not include any matching fund deposited into a parallel account under subsection (b) on behalf of such individual.

(e) UNIFORM ACCOUNTING REGULATIONS.—The Secretary shall prescribe regulations with respect to accounting for matching funds from all possible sources in the parallel accounts.

(f) REGULAR REPORTING OF MATCHING DEPOSITS.—Any qualified financial institution shall report matching fund deposits to eligible individuals with Individual Development Accounts on not less than a quarterly basis.

SEC. 105. WITHDRAWAL PROCEDURES.

(a) WITHDRAWALS FOR QUALIFIED EXPENSES.—

(1) REQUEST FOR WITHDRAWAL.—To withdraw money from an eligible individual's Individual Development Account to pay qualified expenses of such individual or such individual's spouse or dependents, an eligible individual shall obtain permission from the custodian of the individual development account program. Such permission may include a request to withdraw matching funds from the applicable parallel account.

(2) DISBURSEMENT OF FUNDS.—Once permission to withdraw funds is granted under paragraph (1), the qualified financial institution shall directly transfer such funds from the Individual Development Account, and, if applicable, from the parallel account electronically to the vendor or other Individual Development Account. If the vendor is not equipped to receive funds electronically, the qualified financial institution may issue such funds by paper check to the vendor.

(3) RESOLUTION OF DISPUTES.—The qualified financial institution shall establish a grievance procedure to hear, review, and decide in writing any grievance made by an Individual Development Account holder who disputes a decision of the operating organization that a withdrawal is not for qualified expenses.

(b) WITHDRAWALS FOR NONQUALIFIED EXPENSES.—An Individual Development Account holder may unilaterally withdraw funds from the Individual Development Account for purposes other than to pay qualified expenses, but shall forfeit the corresponding matching funds and interest earned on the matching funds by doing so, unless such withdrawn funds are recontributed to such Account within 1 year of withdrawal.

(c) DEEMED WITHDRAWALS FROM ACCOUNTS OF NONELIGIBLE INDIVIDUALS.—If, during any taxable year of the individual for whose benefit an Individual Development Account is established, such individual ceases to be an eligible individual, such account shall cease to be an Individual Development Account as of the first day of such taxable year and any balance in such account shall be deemed to have been withdrawn on such first day by such individual for purposes other than to pay qualified expenses.

(d) TAX TREATMENT OF WITHDRAWN AMOUNTS.—Any amount withdrawn from an Individual Development Account or any matching funds withdrawn from a parallel account shall be includible in gross income to the extent such amount has not previously been so includible.

SEC. 106. CERTIFICATION AND TERMINATION OF INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAMS.

(a) CERTIFICATION PROCEDURES.—Upon establishing an individual development account program under section 101, a qualified financial institution shall certify to the Secretary on forms prescribed by the Secretary and accompanied by any documentation required by the Secretary, that—

(1) the accounts described in subparagraphs (A) and (B) of section 101(b)(1) are operating pursuant to all the provisions of this Act; and

(2) the qualified financial institution agrees to implement an information system necessary to permit the Secretary to evaluate the cost and effectiveness of the individual development account program.

(b) AUTHORITY TO TERMINATE IDA PROGRAM.—If the Secretary determines that a qualified financial institution under this Act is not operating an individual development account program in accordance with the requirements of this Act (and has not implemented any corrective recommendations directed by the Secretary), the Secretary shall terminate such institution's authority to conduct the program. If the Secretary is unable to identify a qualified financial institution to assume the authority to conduct such program, then any account established for the benefit of any eligible individual under such program shall cease to be an Individual Development Account as of the first day of such termination and any balance in such account shall be deemed to have been withdrawn on such first day by such individual for purposes other than to pay qualified expenses.

SEC. 107. REPORTING AND EVALUATION.

(a) RESPONSIBILITIES OF QUALIFIED FINANCIAL INSTITUTIONS.—Each qualified financial institution that establishes an individual development account program under section 101 shall report annually to the Secretary within 90 days after the end of each calendar year on—

(1) the number of eligible individuals making contributions into Individual Development Accounts;

(2) the amounts contributed into Individual Development Accounts and deposited into the separate, parallel accounts for matching funds;

(3) the amounts withdrawn from Individual Development Accounts and the separate, parallel accounts, and the purposes for which such amounts were withdrawn;

(4) the balances remaining in Individual Development Accounts and separate, parallel accounts; and

(5) such other information needed to help the Secretary evaluate the cost and effectiveness of the individual development account program.

(b) RESPONSIBILITIES OF THE SECRETARY.—

(1) TWO-YEAR EVALUATION.—Not later than 24 months after the date of enactment of this Act, the Secretary shall evaluate the cost and effectiveness of the individual development account programs established under section 101. In addition, the Secretary shall evaluate the effect of the account limitation under section 101(c) on each banking office of a qualified financial institution and make recommendations for its adjustment or removal.

(2) FOUR-YEAR EVALUATION.—Not later than 48 months after the date of enactment of this Act, the Secretary shall evaluate the effect of the individual development account programs established under section 101 on the eligible individuals.

(3) SUBSEQUENT ANNUAL EVALUATIONS.—In each subsequent year after the first evaluation under paragraph (1) or (2), the Secretary shall issue an update on the status of such individual development account programs.

(4) APPROPRIATIONS FOR EVALUATIONS.—There is authorized to be appropriated $5,000,000 for the purposes of evaluating individual development account programs established under section 101, to remain available until expended.

SEC. 108. FUNDS IN PARALLEL ACCOUNTS OF PROGRAM PARTICIPANTS DISREGARDED FOR PURPOSES OF ALL MEANS-TESTED FEDERAL PROGRAMS.

Notwithstanding any other provision of law that requires consideration of 1 or more financial circumstances of an individual, for the purposes of determining eligibility to receive, or the amount of, any assistance or benefit authorized by such law to be provided to or for the benefit of such individual, funds (including interest accruing) in any parallel account shall be disregarded for such purpose with respect to any period during which the individual participates in an individual development account program established under section 101.

TITLE II—INDIVIDUAL DEVELOPMENT ACCOUNT INVESTMENT CREDITS

SEC. 201. MATCHING FUNDS FOR INDIVIDUAL DEVELOPMENT ACCOUNTS PROVIDED THROUGH A TAX CREDIT FOR QUALIFIED FINANCIAL INSTITUTIONS.

(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to other credits) is amended by inserting after section 30A the following:

"SEC. 30B. INDIVIDUAL DEVELOPMENT ACCOUNT INVESTMENT CREDIT FOR QUALIFIED FINANCIAL INSTITUTIONS.

"(a) DETERMINATION OF AMOUNT.—There shall be allowed as a credit against the applicable tax for the taxable year an amount equal to the individual development account investment provided by a qualified financial institution during the taxable year under an individual development account program established under section 101 of the Savings for Working Families Act.

"(b) APPLICABLE TAX.—For the purposes of this section, the term 'applicable tax' means the excess (if any) of—

"(1) the sum of—

"(A) the tax imposed under this chapter (other than the taxes imposed under the provisions described in subparagraphs (C) through (Q) of section 26(b)(1)), plus

"(B) the tax imposed under section 3111, over

"(2) the credits allowable under subparts B and D of this part.

"(c) INDIVIDUAL DEVELOPMENT ACCOUNT INVESTMENT.—For purposes of this section, the term 'individual development account investment' means, with respect to an individual development account program of a qualified financial institution in any taxable year, an amount equal to the sum of—

"(1) the aggregate amount of dollar-for-dollar matches under such program by such institution under section 104 of the Savings for Working Families Act for such taxable year, plus

"(2) an amount equal to the lesser of—

"(A) 50 percent of the aggregate costs paid or incurred under such program by such institution during such taxable year—

"(i) to provide economic literacy training to Individual Development Account holders under section 102(b) of such Act, either directly or indirectly through nonprofit organizations or government entities, and

"(ii) to underwrite the activities of collaborating community-based, not-for-profit organizations (within the meaning of section 4(3)(B) of such Act), or

"(B) $100, times the total number of Individual Development Accounts maintained by such institution under such program during such taxable year.

"(d) OTHER DEFINITIONS.—For purposes of this section, the terms 'Individual Development Account' and 'qualified financial institution' have the meanings given such terms by section 4 of the Savings for Workings Families Act.

"(e) REGULATIONS.—The Secretary may prescribe such regulations as may be necessary or appropriate to carry out this section, including regulations providing for a recapture of the credit allowed under this section in cases where there is a forfeiture under section 105(b) of the Savings for Workings Families Act in a subsequent taxable year of any amount which was taken into account in determining the amount of such credit."

(b) TRANSFER TO TRUST FUNDS.—The Secretary of the Treasury shall transfer from the general fund of the United States Treasury to the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, and the Federal Hospital Insurance Trust Fund amounts equivalent to the amount of the reduction in taxes imposed by section 3111 of the Internal Revenue Code of 1986 by reason of the credit determined under section 30B (relating to the individual development account investment credit for qualified financial institutions). Any such transfer shall be made at the same time that the reduced taxes would have been deposited in such Trust Funds.

(c) CONFORMING AMENDMENT.—The table of sections for subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 30A the following:

"Sec. 30B. Individual development account investment credit for qualified financial institutions."

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1999.

SEC. 202. CRA CREDIT PROVIDED FOR INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAMS.

Qualified financial institutions which establish individual development account programs under section 101 shall receive credit for funding, administration, and education expenses under the services test contained in regulations for the Community Reinvestment Act of 1977 for those activities related to Individual Development Accounts.

SEC. 203. DESIGNATION OF EARNED INCOME TAX CREDIT PAYMENTS FOR DEPOSIT TO INDIVIDUAL DEVELOPMENT ACCOUNT.

(a) IN GENERAL.—Section 32 of the Internal Revenue Code of 1986 (relating to earned income credit) is amended by adding at the end the following:

"(o) DESIGNATION OF CREDIT FOR DEPOSIT TO INDIVIDUAL DEVELOPMENT ACCOUNT.—

"(1) IN GENERAL.—With respect to the return of any eligible individual (as defined in section 4(1) of the Savings for Working Families Act) for the taxable year of the tax imposed by this chapter, such individual may designate that a specified portion (not less than $1) of any overpayment of tax for such taxable year which is attributable to the credit allowed under this section shall be deposited by the Secretary into an Individual Development Account (as defined in section 4(2) of such Act) of such individual. The Secretary shall so deposit such portion designated under this paragraph.

"(2) MANNER AND TIME OF DESIGNATION.—A designation under paragraph (1) may be made with respect to any taxable year—

"(A) at the time of filing the return of the tax imposed by this chapter for such taxable year, or

"(B) at any other time (after the time of filing the return of the tax imposed by this chapter for such taxable year) specified in regulations prescribed by the Secretary.

Such designation shall be made in such manner as the Secretary prescribes by regulations.

"(3) PORTION ATTRIBUTABLE TO EARNED INCOME TAX CREDIT.—For purposes of paragraph (1), an overpayment for any taxable year shall be treated as attributable to the credit allowed under this section for such taxable year to the extent that such overpayment does not exceed the credit so allowed.

"(4) OVERPAYMENTS TREATED AS REFUNDED.—For purposes of this title, any portion of an overpayment of tax designated under paragraph (1) shall be treated as being refunded to the taxpayer as of the last date prescribed for filing the return of tax imposed by this chapter (determined without regard to extensions) or, if later, the date the return is filed.

"(5) TERMINATION.—This subsection shall not apply to any taxable year beginning after December 31, 2006."

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 1999.●

By Mr. GRAMS (for himself, Mr. ABRAHAM, and Mr. KYL):

S. 896. A bill to abolish the Department of Energy, and for other purposes; to the Committee on Energy and Natural Resources.

THE DEPARTMENT OF ENERGY ABOLISHMENT ACT OF 1999

Mr. GRAMS. Mr. President, I rise to introduce The Department of Energy Abolishment Act of 1999. I am pleased to include as original cosponsors Senator SPENCER ABRAHAM and Senator JON KYL and want to thank them for their support both this year and in past Congresses.

I would also like to say that Congressman TODD TIAHRT will be introducing his DOE elimination bill today in the House of Representatives and I thank him for his continued leadership and cooperation on this issue.

As many of my colleagues are aware, the effort to eliminate the DOE is not a new endeavor. In fact, since its inception, experts have been clamoring to eliminate the Department and to move its programs back to the agencies from which they were taken—agencies better suited to achieving specific programmatic goals.

When we began to look into the specifics of DOE elimination in the 104th Congress, we considered three main issues. First, we examined the fact that the Department of Energy no longer has a mission—a situation clearly reflected by the fact that nearly 85 percent of its budget is expended upon ''non-energy'' programs.

The Department was created to develop a long-term energy strategy with an ultimate goal of energy indepedence. Sadly, we are now far more reliant upon foreign energy sources than we were when the Department was created.

During the long oil lines of the 1970s, we were about 35 percent dependent on foreign oil. Today, it is more than 60 percent. So our foreign oil dependency has grown, and a lack of an energy strategy is a result of the failure of the DOE.

I recall at one point Secretary Hazel O'Leary commented that we should consider taking the word ''energy'' out of the Department's name because it was such a small portion of its overall activity. Next, we studied those programs charged to the DOE and reviewed its ability to meet the related job requirements.

And finally, we looked at the DOE's ever-increasing budget in light of the first two criterion—determining whether the taxpayers should be forced to expend nearly $18 billion annually on this bureacratic hodgepodge.

Now, I want to be up front and say for the record that I acknowledge the difficulties inherent in eliminating a cabinet-level agency. I am keenly aware that the chances of passing this bill into law in this Congress, with this Administration, and in a presidential election year are difficult.

Those chances may be exactly as they were in 1996 when I first introduced this legislation and when we held our first hearing on the matter, but unfortunately, the reasons for offering the bill haven't changed.

In 1996, the opponents of this legislation charged that it was unnecessary. They claimed that the Department was headed in the right direction and making the changes necessary to both justify its mission and reduce its bloated budget.

The call of many Members of Congress to eliminate the Department encouraged a group of DOE supporters to back a hastily arranged set of objectives in defense of the DOE's record of mismanagement.

At the time of the 1996 hearings on this legislation, the backers of the Department relied largely on the DOE's Strategic Alignment and Downsizing Initiative as a defense against charges that the Department wasted too much money and that the Department was involved in a two-decades old scavenger hunt for new missions.

The Strategic Alignment and Downsizing Initiative, its proponents claimed, would save taxpayers over $14 billion in 5 years and change the way the DOE conducted business. Regrettably, those projections were never met and the Initiative was never taken seriously—even by the same people who touted its promise.

In fact, while they have continued their reluctance to reduce their budget—they have continuously sought billions of dollars in budget increase to fund their on-going mission creep. So I think its worthwhile to look back on the great hopes those opposed to my bill placed on this proposal.

While speaking about this legislation on September 4, 1996, in the Energy and Natural Resources Committee, Senator Bennett Johnston said, ''Maybe all of this would be worth doing if we were going to save the taxpayers a lot of money. But the operational savings claimed by S. 1678 by the Heritage Foundation are actually less than the operational savings that would be realized by the Department's on-going strategic realignment initiative, savings that the GAO has testified are real.''

In other words, the Senator was saying that the Department of Energy would save more money for the taxpayers by doing a better job than we could by eliminating the department.

As I stated earlier, Mr. President, the Strategic Alignment and Downsizing Initiative—the great hope of DOE's defenders in 1996—hasn't achieved one red cent of budgetary savings over the last 4 years, and it doesn't appear that anything is going to change anytime soon. Regrettably, the Strategic Alignment and Downsizing Initiative isn't the only improvement the Department has failed to make over the past four years.

Today, commercial nuclear waste still sits at 73 sites in 34 states despite both legal and contractual obligations that mandated the removal of the waste by January 31, 1998, more than a year ago.

Since my election to the Senate in 1994, I have listened to a parade of DOE witnesses tell the Energy and Natural Resources Committee that they are committed to resolving this conflict and living up to their responsibilities. Every nominee I have questioned has told me how important this issue is to them and how they are going to work with Congress. But not one of them—not one—in any substantive way, has taken actions which generate faith in Congress that the DOE is capable of fulfilling its promises. Again—not one—nominee has delivered on their promises—instead, of what they need to say to get confirmed and then return to business as usual.

They don't keep their promises. They say what they need to say, what Congress wants to hear to get confirmed, and then they go on with business as usual.

Today, the Government Performance and Results Act paints a clear picture of how difficult it is to get a grip on the size of problems at the Department of Energy. The Department's final strategic plan, which took four years of preparation, scored a pathetic 43.5 points out of a possible 100. That is how good this is.

And the DOE's FY99 annual performance plan was ranked fourth from last of all government agencies—scoring 30 out of a possible 100. No business, no college student, no family, could consistently perform so miserably and yet maintain a cushy existence of even larger and larger budgets.

But thanks to an indifferent Administration, and a Congress that places too little importance on its oversight role, the DOE continues along with the knowledge that its protectors will keep the lights on and the funding flowing without any regard for the American taxpayer.

And today, as this nation continues to grow increasingly dependent upon foreign oil—in total contrast to the DOE's core mission. Even in light of this Administration's focus on alternative energy, the DOE expends less than one-sixth of its budget on ''energy'' related programs—a trend that clearly will continue well into the future.

Let me be the first to state that the proposals contained within this bill are not all of my own. The idea to eliminate the Department of Energy is not a new one—since its creation in 1978, experts have been clamoring to abolish this ''agency in search of a mission.'' This bill represents the comments and input of many who have worked in these fields for decades, but, I consider it a work in progress.

Under the Department of Energy Abolishment Act of 1999, we dismantle the patchwork quilt of government initiatives—reassembling them into agencies better equipped to accomplish their basic goals; we refocus and increase federal funding towards basic research by eliminating corporate welfare; and, we abolish the bloated, duplicative upper management bureaucracy.

First, we begin by eliminating Energy's cabinet-level status and establishing a three-year Resolution Agency

to oversee the transition. This is critical to ensuring progress continues to be made on the core programs.

Under Title I, the Federal Energy Regulatory Commission (FERC) is spun off to become an independent agency, as it was prior to the creation of the DOE. The division which oversees hearings and appeals is eliminated, with all pending cases transferred to the Department of Justice for resolution within 1 year. The functions of the Energy Information Administration are transferred to the Department of Interior with the instruction to privatize as many as possible. And with the exception of research being conducted by the DOE labs, basic science and energy research functions are transferred to Interior for determination on which are basic research, and which can be privatized. Those deemed as core research will be transferred to the National Science Foundation and reviewed by an independent commission. Those that are more commercial in nature will be subject to disposition recommendations by the Secretary of Interior.

The main reasoning behind this is to ensure the original mission of the DOE—to develop this nation's energy independence—is carried out.

With scarce taxpayer dollars currently competing against defense and cleanup programs within the DOE, it's no surprise that little progress has been made. However, by refocusing dollars into competitive alternative energy research, we will maximize the potential for areas such as solar, wind, biomass, etc.

For states like Minnesota, where the desire for renewable energy technologies is high, growth in these areas could help fend off our growing dependence upon foreign oil while protecting our environment.

Under Title II, the laboratory structure within the DOE is revamped.

First, the three ''defense labs'' are transferred to the Defense Department. They include Sandia, Los Alamos and Lawrence Livermore. The remaining labs are studied by a ''Non-defense Energy Laboratory Commission''.

This independent commission operates much like the Base Closure Commission and can recommend restructuring, privatization or a transfer to the DOD as alternatives to closure. Congress is granted fast-track authority to adopt the Commission's recommendations.

Title III directs the General Accounting Office to assess an inventory of the Power Marketing Administration's assets, liabilities, etc. This inventory is aimed at ensuring fair treatment of current customers and a fair return to the taxpayers. All issues, including payments by current customers, must be included in the GAO audit.

Petroleum Reserves are the focus of Title IV. The Naval Petroleum Reserve is targeted for immediate sale. Any of the reserves that are unable to be disposed of within the three-year window will be sold transitionally from the Interior Department.

The Strategic Petroleum Reserve is transferred to the Defense Department and an audit on value and maintenance costs is conducted by the GAO. Then, the DOD is charged with determining how much oil to maintain for national security purposes after reviewing the GAO report.

Under Titles V and VI, all of the national security and environmental restoration/management activities are sent to the Department of Defense.

Therefore, all defense-related activities are transferred back to Defense, but are placed in a new civilian controlled agency (the Defense Nuclear Programs Agency) to ensure budget firewalls and civilian control over sensitive activities such as arms control and nonproliferation activities.

And the program which has received much criticism as of late, the Civilian Nuclear Waste Program, is transferred to the Corps of Engineers. This section dovetails legislation adopted by the Senate last Congress. A key element is that the interim storage site is designated at Nevada's Test Site Area 25.

As I mentioned in the beginning of my statement, while I believe we should eliminate the Department as cabinet-level agency, I appreciate the difficulty involved in accomplishing this goal now and realize the opposition to this among many of my colleagues. For that reason, I believe it is important to point out that the reasons I have outlined for eliminating the Department have a dual purpose—they can also serve as reasons for improving the Department.

Toward that end, I am willing to work with any Member of the Senate and House to improve, downsize, or restructure the DOE. I have long advocated positions which are consistent with my beliefs.

I am an original co-sponsor of The Nuclear Waste Policy Act of 1999—legislation I believe is essential to fulfilling the DOE's promises to America's ratepayers and taxpayers. I have been a strong supporter of legislation and efforts which are aimed at improving our nation's energy security by promoting domestically produced alternative and renewable fuels. Those efforts have included support for extending the ethanol tax credit, including biodiesel as an alternative fuel under the Energy Policy Act, cosponsoring the Wind Energy Tax Credit, cosponsoring the Poultry Litter Tax Credit legislation, and cosponsoring legislation to reform the hydropower relicensing process.

Briefly, I believe those efforts strengthen the original mission of the Department of Energy. My bottom line is, I want America's taxpayers to be assured they are receiving a proper return on their investment.

The taxpayers need to have confidence they are receiving the services they deserve. Unfortunately, the record of the Department of Energy is evidence in part of our reliance upon foreign oil, by the nuclear waste program debacle and by the low ratings it receives under the Government Performance and Results Act, and is a record of failure the taxpayers should no longer be forced to bear.

I patiently awaited the reforms and savings promised by the Department and its advocates, but the waiting continues and the savings never developed. As long as this is the case, I will continue to offer my legislation to dismantle the Department of Energy and shift its responsibilities elsewhere.

I send the bill to the desk and ask it be referred to the proper committees.

The PRESIDING OFFICER. The bill will be received.

By Mr. BAUCUS (for himself and Mr. HAGEL):

S. 897. A bill to provide matching grants for the construction, renovation and repair of school facilities in areas affected by Federal activities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

FEDERALLY IMPACTED SCHOOL IMPROVEMENT ACT

Mr. HAGEL. Mr. President, I join the senior Senator from Montana, Senator BAUCUS, in introducing the Federally Impacted School Improvement Act. This bipartisan legislation is designed to renew and enhance the partnership between the federal government and schools located on or around Indian reservations and military bases.

For almost fifty years Congress has provided financial assistance to school districts impacted by a federal presence. Up until 1994, Congress also provided funding to help these communities defray the cost of building and repairing their schools.

The loss of this particular revenue over the last five years, combined with the continued under-funding for almost 15 years of the impact aid program in general, has left school districts that serve military and Indian children scrambling to finance their routine costs. As a result, many of these schools now have buildings that are antiquated, overcrowded and compromise the health and safety of their students.

The Federally Impacted School Improvement Act takes a step toward correcting this situation by providing matching grants that impacted schools can use to address their most pressing modernization needs. This Act authorizes a federal appropriation of $50 million for each of the next five fiscal years for impact aid school construction and repair.

Forty-five percent of the funds appropriated under the bill go to Indian lands. Another forty-five percent is dedicated to military schools. The final ten percent will be reserved for emergency situations.

In order to make limited federal funds go farther, our bill calls for local communities to contribute their share to this effort. Schools and communities will have to match the federal grants

on all but the 10% appropriated for emergencies. This is done to ensure that all—or at least more—impacted schools will have the opportunity to use these new grants to improve their facilities.

The federal government cannot and should not be all things to all people. However, Congress has a responsibility to ensure that highly impacted school districts, such as Bellevue and Santee, Nebraska, are not shortchanged.

The hardships faced by our military personnel, their families and individuals living on Indian reservations are well known. Their children deserve no less than the best educational facilities.

The Federally Impacted School Improvement Act helps to meet our commitment to schools and children impacted by a federal presence. It makes good use of our limited federal resources. It embodies what we should be doing more of—building partnerships between local communities, taxpayers and government in order to strengthen our schools.

I urge my colleagues to support this legislation. I also request unanimous consent that the bill and a letter sent to me by the Northern Nebraska Native American Consortium be placed in the RECORD.

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

S. 897

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; FINDINGS; PURPOSE.

(a) SHORT TITLE.—This Act may be cited as the ''Federally Impacted School Improvement Act''.

(b) FINDINGS.—Congress makes the following findings:

(1) In 1950 Congress recognized its obligation, through the passage of Public Law 81–815, to provide school construction funding for local educational agencies impacted by the presence of Federal activities.

(2) The conditions of federally impacted school facilities providing educational programs to children in areas where the Federal Government is present have deteriorated to such an extent that the health and safety of the children served by such agencies is being compromised, and the school conditions have not kept pace with the increase in student population causing classrooms to become severely overcrowded and children to be educated in trailers.

(3) Local educational agencies in areas where there exists a significant Federal presence have little if any capacity to raise local funds for purposes of capital construction, renovation and repair due to the nontaxable status of Federal land.

(4) The need for renewed support by the Federal Government to help federally connected local educational agencies modernize their school facilities is far greater in 2000 than at any time since 1950.

(5) Federally connected local educational agencies and the communities the agencies serve are willing to commit local resources when available to modernize and replace existing facilities, but do not always have the resources available to meet their total facility needs due to the nontaxable presence of the Federal Government.

(6) Due to the conditions described in paragraphs (1) through (5) there is in 1999, as there was in 1950, a need for Congress to renew its obligation to assist federally connected local educational agencies with their facility needs.

(c) PURPOSE.—The purpose of this Act is to provide matching grants to local educational agencies for the modernization of minimum school facilities that are urgently needed because—

(1) the existing school facilities of the agency are in such disrepair that the health and safety of the students served by the agency is threatened; and

(2) increased enrollment results in a need for additional classroom space.

SEC. 2. DEFINITIONS.

In this Act:

(1) MODERNIZATION.—The term ''modernization'' means the repair, renovation, alteration, or construction of a facility, including—

(A) the concurrent installation of equipment; and

(B) the complete or partial replacement of an existing facility, but only if such replacement is less expensive and more cost-effective than repair, renovation, or alteration of the facility.

(2) FACILITY.—The term ''facility'' means a public structure suitable for use as a classroom, laboratory, library, media center, or related facility, the primary purpose of which is the instruction of public elementary school or secondary school students.

(3) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given the term in section 14101 of the Elementary and Secondary Education Act of 1965.

(4) SECRETARY.—The term ''Secretary'' means—

(A) with respect to funds made available under paragraph (1) or (3) of section 4(a) for grants under section 6 or 8, respectively, the Secretary of Education; and

(B) with respect to funds made available under paragraph (2) of section (4)(a) for grants under section 6, the Secretary of Defense.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Department of Education to carry out this Act $50,000,000 for fiscal year 2001 and such sums as may be necessary for each of the 4 succeeding fiscal years.

(b) PROHIBITION.—None of the funds authorized to be appropriated under subsection (a) shall be available to a local educational agency to pay the cost of administration of the activities assisted under this Act.

SEC. 4. FEDERAL DISTRIBUTION OF FUNDING.

(a) IN GENERAL.—From amounts appropriated under section 3(a) for a fiscal year the Secretary of Education—

(1) shall use 45 percent to award grants under section 6 to local educational agencies—

(A) that are eligible for assistance under section 8002(a); and

(B) for which the number of children determined under section 8003(a)(1)(C) of the Elementary and Secondary Education Act of 1965 constitutes at least 25 percent of the number of children who were in average daily attendance in the schools of such local educational agency during the school year preceding the school year for which the determination is made;

(2) shall make available to the Secretary of Defense 45 percent to enable the Secretary of Defense to award grants under section 6 to local educational agencies for which the number of children determined under subparagraphs (A), (B), and (D) of section 8003(a)(1) of the Elementary and Secondary Education Act of 1965 constitutes at least 25 percent of the number of children who were in average daily attendance in the schools of such local educational agency during the school year preceding the school year for which the determination is made; and

(3) shall use 10 percent to award grants under section 8.

(b) DEPARTMENT OF DEFENSE FUNDING.—

(1) IN GENERAL.—Not later than 30 days after the date the Secretary of Education receives funds appropriated under section 3(a) for a fiscal year, the Secretary of Education shall make available to the Secretary of Defense from such funds the portion of such funds described in subsection (a)(2) for the fiscal year. The Secretary of Defense shall use the portion to award grants under section 6 through the Office of Economic Adjustment of the Department of Defense.

(2) LIMITATIONS.—

(A) ADMINISTRATIVE EXPENSES.—No funds made available under subsection (a)(2) shall be used by the Secretary of Defense to pay the costs of administration of the activities assisted under this Act.

(B) SPECIAL RATE.—No funds made available under subsection (a)(2) shall be used to replace Federal funds provided to enhance the quality of life of dependents of members of the Armed Forces as determined by the Secretary of Defense.

SEC. 5. ELIGIBILITY REQUIREMENTS.

(a) IN GENERAL.—A local educational agency shall be eligible to receive funds under this Act if—

(1) the local educational agency is described in paragraph (1) or (2) of section 4(a); and

(2) the local educational agency—

(A) received a payment under section 8002 of the Elementary and Secondary Education Act of 1965 during the fiscal year preceding the fiscal year for which the determination is made, and the assessed value of taxable property per student in the school district of the local educational agency is less than the average of the assessed value of taxable property per student in the State in which the local educational agency is located; or

(B) received a basic payment under section 8003(b) of the Elementary and Secondary Education Act of 1965 during the fiscal year preceding the fiscal year for which the determination is made, and for which the number of children determined under subparagraphs (A), (B), (C), and (D) of section 8003(a)(1) of the Elementary and Secondary Education Act of 1965 constituted at least 25 percent of the number of children who were in average daily attendance in the schools of such local educational agency during the school year preceding the school year for which the determination is made.

(b) SPECIAL RULE.—Any local educational agency described in subsection (a)(2)(B) may apply for funds under this section for the modernization of a facility located on Federal property (as defined in section 8013 of the Elementary and Secondary Education Act of 1965) only if the Secretary determines that the number of children determined under section 8003(a)(1) of the Elementary and Secondary Education Act of 1965 who were in average daily attendance in such facility constituted at least 50 percent of the number of children who were in average daily attendance in the facilities of the local educational agency during the school year preceding the school year for which the determination is made.

SEC. 6. BASIC GRANTS.

(a) AWARD BASIS.—From the amounts made available under paragraphs (1) and (2) of section 4(a) the Secretary shall award grants to local educational agencies on such basis as

the Secretary determines appropriate, including—

(1) in the case of a local educational agency described in section 5(a)(2)(A), a high percentage of the property in the school district of the local educational agency is nontaxable due to the presence of the Federal Government;

(2) in the case of a local educational agency described in section 5(a)(2)(B), a high number or percentage of children determined under subparagraphs (A), (B), (C), and (D) of section 8003(a)(1) of the Elementary and Secondary Education Act of 1965;

(3) the extent to which the local educational agency lacks the fiscal capacity, including the ability to raise funds through the full use of the local educational agency's bonding capacity and otherwise, to undertake the modernization project without Federal assistance;

(4) the need for modernization to meet—

(A) the threat the condition of the facility poses to the safety and well-being of students;

(B) the requirements of the Americans with Disabilities Act of 1990;

(C) the costs associated with asbestos removal, energy conservation, and technology upgrading; and

(D) overcrowding conditions as evidenced by the use of trailers and portable buildings and the potential for future overcrowding because of increased enrollment;

(5) the facility needs of the local educational agency resulting from the acquisition or construction of military family housing under subchapter IV of chapter 169 of title 10, United Sates Code, and other actions of the Federal Government that cause an adverse impact on the facility needs of the local educational agency; and

(6) the age of the facility to be modernized regardless of whether the facility was originally constructed with funds authorized under Public Law 81–815.

(b) GRANT AMOUNT.—In determining the amount of a grant the Secretary shall—

(1) consider the relative costs of the modernization;

(2) determine the cost of a project based on the local prevailing cost of the project;

(3) require that the Federal share of the cost of the project shall not exceed 50 percent of the total cost of the project;

(4) not provide a grant in an amount greater than $3,000,000 over any 5-year period; and

(5) take into consideration the amount of cash available to the local educational agency.

(c) ADMINISTRATION OF GRANTS.—In awarding grants under this section the Secretary shall—

(1) establish by regulation the date by which all applications are to be received;

(2) consider in-kind contributions when calculating the 50 percent matching funds requirement described in subsection (b)(3); and

(3) subject all applications to a review process.

(d) SECTION 8007 FUNDING.—In awarding grants under this section, the Secretary shall not take into consideration any funds received under section 8007 of the Elementary and Secondary Education Act of 1965.

SEC. 7. APPLICATIONS REQUIRED.

(a) IN GENERAL.—Each local educational agency desiring a grant under this Act shall submit an application to the Secretary.

(b) CONTENTS.—Each application shall contain—

(1) a listing of the school facilities to be modernized, including the number and percentage of children determined under section 8003(a)(1) of the Elementary and Secondary Education Act of 1965 in average daily attendance in each facility;

(2) a description of the ownership of the property on which the current facility is located or on which the planned facility will be located;

(3) a description of each architectural, civil, structural, mechanical, or electrical deficiency to be corrected with funds provided under this Act, including the priority for the repair of the deficiency;

(4) a description of any facility deficiency that poses a health or safety hazard to the occupants of the facility and a description of how that deficiency will be repaired;

(5) a description of the criteria used by the local educational agency to determine the type of corrective action necessary to meet the purposes of this Act;

(6) a description of the modernization to be supported with funds provided under this Act;

(7) a cost estimate of the proposed modernization;

(8) an identification of other resources (such as unused bonding capacity), if applicable, that are available to carry out the modernization, and an assurance that such resources will be used for the modernization;

(9) a description of how activities assisted with funds provided under this Act will promote energy conservation; and

(10) such other information and assurances as the Secretary may reasonably require.

(c) CONTINUING CONSIDERATION.—A local educational agency that applies for assistance under this Act (other than section 8) for any fiscal year and does not receive the assistance shall have the application for the assistance considered for the following 5 fiscal years.

SEC. 8. EMERGENCY GRANTS.

(a) WAIVER OF MATCHING REQUIREMENT.—From the amount made available under section 4(a)(3) the Secretary shall award grants to any local educational agency for which the number of children determined under section 8003(a)(1)(C) constituted at least 50 percent of the number of children who were in average daily attendance in the schools of such agency during the school year preceding the school year for which the determination is made, if the Secretary determines a facility emergency exists that poses a health or safety hazard to the students and school personnel assigned to the facility.

(b) CERTIFICATION OF EMERGENCY.—In addition to meeting the requirements of section 7, a local educational agency desiring funds under this section shall include in the application submitted under section 7 a signed statement from a State official certifying that a health or safety deficiency exists.

(c) GRANT AMOUNT; PRIORITIZATION RULES; CONTINUING CONSIDERATION.—

(1) GRANT AMOUNT.—In determining the amount of grant awards under this section, the Secretary shall make every effort to fully meet the facility needs of the local educational agencies applying for funds under this section.

(2) PRIORITIZATION RULE.—If the Secretary receives more than 1 application under this section for any fiscal year, the Secretary shall prioritize the applications based on when an application was received and the severity of the emergency as determined by the Secretary.

(3) CONTINUING CONSIDERATION.—A local educational agency that applies for assistance under this section for any fiscal year and does not receive the assistance shall have the application for the assistance considered for the following fiscal year, subject to the prioritization requirement described in paragraph (2).

SEC. 9. REQUIREMENTS.

(a) MAINTENANCE OF EFFORT.—A local educational agency may receive a grant under this Act for any fiscal year only if the Secretary finds that either the combined fiscal effort per student or the aggregate expenditures of that agency and the State with respect to the provision of free public education by such local educational agency for the preceding fiscal year was not less than 90 percent of such combined fiscal effort or aggregate expenditures for the fiscal year for which the determination is made.

(b) SUPPLEMENT NOT SUPPLANT.—An eligible local educational agency shall use funds received under this subsection only to supplement the amount of funds that would, in the absence of such Federal funds, be made available from non-Federal sources for the modernization of school facilities used for educational purposes, and not to supplant such funds.

SEC. 10. GENERAL LIMITATIONS.

(a) REAL PROPERTY.—No part of any grant funds awarded under this Act shall be used for the acquisition of any interest in real property.

(b) MAINTENANCE.—Nothing in this Act shall be construed to authorize the payment of maintenance costs in connection with any facilities modernized in whole or in part with Federal funds provided under this Act.

(c) ENVIRONMENTAL SAFEGUARDS.—All projects carried out with Federal funds provided under this Act shall comply with all relevant Federal, State, and local environmental laws and regulations.

(d) ATHLETIC AND SIMILAR FACILITIES.—No funds received under this Act shall be used for outdoor stadiums or other facilities that are primarily used for athletic contests or exhibitions, or other events, for which admission is charged to the general public.

NORTHERN NEBRASKA
NATIVE AMERICAN CONSORTIUM,
Niobrara, NE, March 29, 1999.

Hon CHUCK HAGEL,
U.S. Senator, Russell Office Building, Washington, DC.

DEAR SENATOR HAGEL: The member schools of the Northern Nebraska Native American Consortium have gone on record in support of National Association of Federally Impacted Schools (NAFIS) construction funding in the ESEA reauthorization proposals. We would be receptive to any federal options for funding the viable construction needs of the Native American students being served by member schools.

These Nebraska schools currently educate 98% if all Indian students living on reservation land. The NAC schools currently have significant construction needs ranging from meeting ADA requirements to updating firm alarm systems. Several Nebraska school districts are, or have, passed bond issues for construction of new schools or modernizing old ones. Our school districts only option is Impact Aid or other federally connected funding for construction purposes. The State of Nebraska statutorily exclude state aid as a construction funding mechanism, such aid can only be used for general fund purposes.

Please consider the importance of meeting federal treaty obligations. Such treaties mandate the education of the Native American students on reservation land. If state and federal education standards are to be met, a positive learning environment must be met. We thank you for your attention to this matter.

Kindest Regards,

FLORENCE PARKER,
Board President, Omaha Nations Public School.

MARCIA ROSS,
Board Member, Walthill Public School.

C. TODD CHESSMORE,
Supt., Omaha Nations Public School.
DR. TONY GARCIA,
Supt., Walthill Public School.
MARLENE WHITE,
Board President, Santee Community School.
TERRY MEDINA,
Board President, Winnebago Public School.
CHARLES D. SQUIER,
Supt., Santee Community School.
DR. VIRGIL LIKNESS,
Supt., Winnebago Public School.

By Mr. COVERDELL:

S. 898. A bill to amend the Internal Revenue Code of 1986 to provide taxpayers with greater notice of any unlawful inspection or disclosure of their return or return information; to the Committee on Finance.

TAXPAYER PRIVACY PROTECTION IMPROVEMENT ACT OF 1999

Mr. COVERDELL. Mr. President, I rise today to report on the implementation of the Taxpayer Browsing Protection Act of 1997. Two years ago, the Congress passed and the President signed into law, legislation I proposed with Senator John Glenn that sought to end the egregious protection of unauthorized inspections of taxpayer files. Something I prefer to call ''file snooping.''

I am pleased to report that, according to a GAO report my office is releasing today, it appears that the Taxpayer Browsing Protection Act is working. But, we still have work to do. The report demonstrates that file snooping still occurs, but the incidents have become fewer. I believe this is good news for taxpayers.

At the same time, as I stated previously, our work is not done. The GAO found that sixteen confirmed cases of file snooping occurred since the enactment of the Taxpayer Browsing Protection Act, each of which had been appropriately referred for prosecution. Unfortunately, 15 cases were declined for prosecution meaning there was only one case in which taxpayers were notified that their privacy had been violated. In those 15 cases, the affected taxpayers were not assured the opportunity to seek the civil recourse available under the law.

I believe we have a duty to correct this loophole. Taxpayers not only have a right to know their privacy, entrusted by them to the Federal Government, has been violated, that we let them down, but that the opportunity to seek the relief provided under the law is ensured.

Legislation I introduce today, the Taxpayer Privacy Protection Improvement Act of 1999, will ensure taxpayers' right to know. In short, it triggers the notification of taxpayers that their files have been snooped to the point where a case is referred for prosecution following the conclusion of a thorough internal investigation.

This proposal builds on our previous progress, and I encourage my colleagues to join me in this effort.

By Mr. HATCH (for himself, Mr. THURMOND, Mr. SPECTER, Mr. DEWINE, Mr. ASHCROFT, Mr. ABRAHAM, Mr. SESSIONS, and Mr. GRAMS):

S. 899. A bill to reduce crime and protect the public in the 21st Century by strengthening Federal assistance to State and local law enforcement, combating illegal drugs and preventing drug use, attacking the criminal use of guns, promoting accountability and rehabilitation of juvenile criminals, protecting the rights of victims in the criminal justice system, and improving criminal justice rules and procedures, and for other purposes; to the Committee on the Judiciary.

TWENTY-FIRST CENTURY JUSTICE ACT

Mr. HATCH. Mr. President, today I am proud to introduce the Twenty-first Century Justice Act. Last month, when I announced this initiative, along with my colleagues Senator THURMOND, Senator DEWINE, Senator ASHCROFT, Senator SESSIONS, Senator ABRAHAM, and Senator GRAMS, I noted that despite some modest gains in the fight against crime, violent crime still touched far too many Americans. Sadly, this has been borne out in the weeks since.

As the recent tragedies in Littleton, CO, and in my own hometown of Salt Lake City, UT, remind us, crime in America is still too prevalent and violent. The tragic cost imposed on law-abiding citizens requires reasoned and thoughtful action to deter these heinous crimes. We must come together as a society to address this problem.

Furthermore, we should recognize that there is little the Federal Government could have done directly to have prevented the tragedies in Littleton and elsewhere. There are, however, important steps we can take to address this issue. Our crime bill takes such steps.

Now, let me describe for my colleagues how this bill, which is a balanced, comprehensive, and focused plan to fight crime, will expand current successful law enforcement practices. It is based on what we know reduces crime. Be it increased methamphetamine abuse in Utah and other Western states, further increases in juvenile crime, or the threat of international crime, we know that our plan will make a significant difference.

Our plan maintains and strengthens the current federal assistance to States that has proven invaluable in reducing crime nationally, and it adds new initiatives that will further reduce crime at the federal, state, and local levels. I am proud of our plan, and I look forward to working with the administration and my Senate colleagues to enact it.

America witnessed an unprecedented growth in crime during the 20th century. Our plan ensures that we will become the 21st century with decreasing crime rates. Our plan contains four central elements:

First, it continues and improves Federal assistance to State and local law enforcement. Second, it reinvigorates our commitment to winning the war on drugs. Third, it emphasizes holding violent offenders accountable by vigorously prosecuting gun crimes. And fourth, it includes needed judicial and criminal procedure reforms and protections for the rights of crime victims.

Notwithstanding the leadership we have seen here in Congress and by many of our nation's governors, crime in America is still unacceptably high by historical standards. For example, for 1997—the most recent year for which national crime rate statistics are available—the murder rate was 33 percent higher than it was in 1960, and the rape rate was 413 percent higher than in 1960. In 1997, the aggravated assault rate was 526 percent higher than it was in 1960. Even with the modest declines in recent years, America still has more violent crime than any industrialized nation in the world. The first obligation of government is to protect its citizens from crime. Obviously, despite the recent declines, we have a long way to go in reducing crime in America.

Despite the recent progress—much of it in partnership with Governors like Mike Leavitt of Utah, George Allen and Jim Gilmore of Virginia, and George W. Bush of Texas—we cannot become complacent. The most troubling aspect of the Clinton Justice Department's budget is its elimination of block grants that have proven so successful in helping state and local authorities reduce crime. We simply cannot become indifferent. Remember the war on drugs? During the Reagan and Bush administrations, our nation began a national, long-term commitment to fight drug abuse. Due to these efforts, drug use began to decline. However, drug use, especially among teenagers, has exploded since 1992. Unless we remain vigilant, the same will happen with violent crime.

Permit me to review each of the four main parts to our legislative crime plan in greater detail.

CONTINUING AND IMPROVING FEDERAL ASSISTANCE TO STATE AND LOCAL LAW ENFORCEMENT

Combined with our ongoing commitment to prevention and treatment, our bill extends the authorization for the highly successful partnership we have created with local law enforcement—the Local Law Enforcement Block Grant Program, which the Republican Congress created in the Contract with America. Since fiscal year 1996, this program has provided more than $2 billion in funding for equipment and technology, such as radios and scanners, directly to state and local law enforcement. The authorization for this program will be between $600–700 million per year. Although the block grant has been extremely effective in assisting state and local law enforcement, the

Clinton administration budget eliminates funding for this program.

Our bill also reauthorizes the truth-in-sentencing prison grants at approximately $700 million per year. These truth-in-sentencing grants, which provide funds to States to build prisons, have been instrumental in lowering crime by encouraging States to incarcerate violent and repeat offenders for at least 85 percent of their sentence. In January, the Justice Department reported that 70 percent of prison admissions in 1997 were in States requiring criminals to serve at least 85 percent of their sentence. More significantly, the average time served by violent criminals nationally has increased 12.2 percent since 1993. Perhaps the biggest reason for recent declines in violent crime is due to these truth-in-sentencing prison grants. Simply put, violent criminals cannot commit crimes against innocent victims while in prison. Our bill continues this successful program and makes the program more flexible by allowing States to use the funds for jails and juvenile facilities, in addition to prison construction.

Despite this success, the Clinton administration eliminates funding for the Truth-in-Sentencing program—even though many States have changed their laws due to this federal commitment to assist in prison construction. Nothing deters and prevents violent crime as well as incarcerating violent and repeat offenders.

Our bill also includes the Juvenile Accountability Incentive Block Grant to help States build juvenile detention centers, drug test juvenile offenders, establish graduated sentencing sanctions for repeat juvenile offenders, and improve juvenile record keeping. This provision authorizes $450 million for the Juvenile Accountability Incentive Block Grant. It also includes $435 million for prevention programs and reauthorizes the Office of Juvenile Justice and Delinquency Prevention within the Justice Department. The administration's budget eliminates funding for the Juvenile Accountability Incentive Block Grant, even though these are the only federal funds dedicated to juvenile law enforcement purposes.

Finally, our bill reauthorizes and reforms the COPS program re-targeting this assistance to the type of policing we know works—zero tolerance for crime, computer tracking of criminal hot spots, and holding commanders responsible for results.

A COMMITMENT TO WINNING THE WAR ON DRUGS

The second major part of this legislative addresses drugs. This section focuses attention where only the federal government has the ability to make a difference—drug interdiction. It also increases the penalties for methamphetamine and powder cocaine trafficking. Our bill encourages States to keep prisons and jails drug-free to break the link between drugs and crime—and provides bonus grants to help States do this. And our bill includes a faith-based drug treatment bill designed by Senator ABRAHAM. I would especially like to thank and acknowledge the leadership that Senators ASHCROFT and DEWINE have shown in fighting drugs, particularly methamphetamine. Their leadership has been invaluable on this issue.

HOLDING VIOLENT OFFENDERS ACCOUNTABLE THROUGH FIREARMS PROSECUTIONS

I do not support gun control, but I do believe in crime control. In addition to remaining true to truth-in-sentencing and prison construction, our bill builds on and expands a successful Richmond, Virginia program in which the U.S. Attorney's office prosecutes as many local gun-related crimes in federal court as possible to take advantage of federal mandatory minimum sentences and stiff bond rules. This provision does not create additional federal crimes, but instead utilizes existing federal statues. This program builds on the Project Triggerlock program which was implemented by the Bush administration.

This program emphasizes cooperation between state and federal prosecutors, as well as the BATF and the local police departments. The last major component of this program is an extensive media campaign to promote the message to potential criminals that ''[a]n illegal gun will get you five years in federal prison.'' The media campaign also encourages citizens to report gun crimes to authorities. This program has been a huge success. Homicides have decreased 50 percent in Richmond after this program was implemented. Our bill provides funds to implement this program in major cities across the nation.

Again, the Clinton administration's record on gun prosecutions is troubling. Between 1992 and 1997, Triggerlock gun prosecutions dropped nearly 50 percent, from 7,045 to 3,765. These are prosecutions of defendants who use a firearm in the commission of a felony.

JUDICIAL-PROCEDURAL REFORMS AND VICTIMS' RIGHTS

The last major element of our crime plan enacts procedural and judicial reforms that improve the administration of justice. Our bill reforms the Miranda rule to allow voluntary statements in evidence. It codifies common-sense procedural issues, including the ''good-faith'' exception to exclusionary rule, and further reforms habeas corpus appeals.

Our bill also recognizes that the administration of justice requires government to safeguard the interests of victims. How can there be justice if crime victims feel victimized by the criminal justice system? The bill ensures that victims are given respect in the criminal system, ensuring their right to attend trials in federal court, to be heard at critical stages such as detention hearings, and to be notified when the defendant is released or escapes. Our bill also calls for ratification of a crime victim's rights constitutional amendment to ensure that these rights are recognized everywhere in America. Our bill also steers necessary funds toward combating violence against women and children, and strengthens federal mandatory restitution laws.

This bill is not a panacea for our crime problem. We are faced, I believe, with a problem which cannot be solved alone by new laws. It is, at its core, a moral problem. Somehow, in too many instances, we have failed as a society to pass to the next generation the moral compass that differentiates right from wrong. This problem cannot be solved by legislation alone. It cannot be restored by the enactment of a new law or the implementation of a new program But it can be achieved by families and communities working together to teach accountability by example and by early intervention when the signs point to violent and anti-social behavior.

Our bill is a step in the right direction. I urge my colleagues to support this important crime fighting legislation, which will strengthen our nation's ability to protect citizens from the scourge of violent crime.

By Mr. BINGAMAN:

S. 901. A bill to provide disadvantaged children with access to dental services; to the Committee on Health, Education, Labor, and Pensions.

CHILDREN'S DENTAL HEALTH IMPROVEMENT ACT OF 1999

Mr. BINGAMAN. Mr. President, I rise today to introduce a measure that is one cornerstone of a series of initiatives that are designed to help ensure that the fundamental needs of children in New Mexico and this country are met. This cornerstone, the Children's Dental Health Improvement Act of 1999, is built on the belief that children must have access to quality, affordable health care. A child who is sick cannot go to school, cannot be expected to learn, and cannot be expected to grow and thrive. For New Mexico, this is a particularly compelling need because according to the Children's Defense Fund, no state has a greater percentage of uninsured children than New Mexico. Specifically, the bill is designed to increase access to dental services for our children.

Some will say: ''Why care about a few cavities in kids?'' In reality, this is a complex children's health issue. Chronically poor oral health is associated with growth and development problems in toddlers and compromises children's nutritional status. These children suffer great pain and cannot play or learn. It is estimated that lack of treatment for these children results in missed school days: an estimated 52 million school hours annually. Their personal suffering is real. In reality, untreated dental problems get progressively worse and ultimately require more expensive interventions.

Medicaid's Early and Periodic Screening Diagnosis and Treatment, or ''EPSDT,'' program requires states to not only pay for a comprehensive set of

child health services, including dental services, but to assure delivery of those services. Unfortunately, low income children do not get the dental service they need. Despite the design of the Medicaid program to reach children and ensure access to routine dental care, the Inspector General of the Department of Health and Human Services reported in 1996 that only 18 percent of children eligible for Medicaid received even a single preventive dental service. The same report shows that no state provides preventive services to more than 50% of eligible children. Dentist participation is too low to assure access. We are falling short of our obligation to these children.

In the past few months, I have had the opportunity to speak to many of New Mexico's rural health care providers and have learned that for New Mexico, the problem is of crisis proportions. Less than two percent of New Mexico's Medicaid dollars are used for children's oral health needs. My state alone projects a shortage of 157 dentists and 229 dental hygienists. Children in New Mexico and elsewhere are showing up in emergency rooms for treatment of tooth abscesses instead of getting their cavities filled early on or having dental decay prevented in the first place.

Tooth decay remains the single most common chronic disease of childhood and according to the Children's Dental Health Project, it affects more than half of all children by second grade. Tooth decay in children six years old is five to eight times more common than asthma which is often cited as the most common chronic disease of childhood.

National data confirm that pediatric oral health in the U.S. is backsliding. Healthy People 2000 goals for dental needs of children will not be met. As this chart shows:

52% of our 6 to 8 year olds have dental caries or cavities compared to 54% in 1986. Our goal was to decrease this to 35% by the year 2000; we have succeeded in a mere 2% change in this area.

Additionally, we have slid backwards in some areas. The Healthy People 2000 oral health indicators show an increase in the percentage of children with untreated cavities. In 1986, 28% of our 6 to 8 year olds had untreated cavities compared to now when we find 31% of these children have untreated cavities.

Tooth decay is increasingly a disease of low and modest income children. A substantial portion of decay in young children goes untreated. In fact, forty seven per cent of decay in children aged 2 through 9, is untreated.

The Children's Dental Health Improvement Act of 1999 is designed to attack the problem from many fronts. First, the bill addresses the issue of provider shortage by expanding opportunities for training pediatric dental health care providers. It allows for the Secretary to look at the reimbursement rates for dental providers as an incentive for dentists to participate in the Medicaid program so that we work toward increasing the actual care provided under the Medicaid program. Additionally, I have looked at the need for pediatric dental research to facilitate better approaches for care and it will put into place greater measures for surveillance of the problem. The bill would lead to increased accountability in the area of actual treatment once a problem is identified. Finally, I have included a section on health promotion and disease prevention to increase the number of children who have access to fluoridated water systems and dental sealants to prevent cavities.

I recognize that this is an ambitious bill and that the issue of access to dental care for children covered by the Medicaid program is a complex one. I want to thank the various groups that have worked on the formulation of this legislation. In particular, I want to thank Drs. Burt Edelstein and Heber Simmons of the American Academy of Pediatric Dentistry for their hard work and excellent information. I also want to thank the American Association of Dental Schools, the American Dental Hygienist Association, the American Dental Association, the Hispanic Dental Association, the National Dental Association, and the American Association for Dental Research for their valuable input and I look forward to working with them all to ensure that we achieve increased access to oral health care for our children.

I am committed to solving the problem of adequate access to dental care for our children and view this as a public health issue that has gone unnoticed for too long. I will welcome my colleagues to work with me to ensure that these children have healthy smiles instead of chronic pain from untreated problems.

Mr. President, I ask unanimous consent to have the text of the Children's Dental Health Improvement Act of 1999 printed in the RECORD.

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

S. 901

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Children's Dental Health Improvement Act of 1999''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
TITLE I—EXPANDED OPPORTUNITIES FOR TRAINING PEDIATRIC DENTAL HEALTH CARE PROVIDERS
Sec. 101. Children's dental health training and demonstration programs.
Sec. 102. Increase in National Health Service Corps dental training positions.
Sec. 103. Maternal and child health centers for leadership in pediatric dentistry education.
Sec. 104. Dental officer multiyear retention bonus for the Indian Health Service.
Sec. 105. Medicare payments to approved nonhospital dentistry residency training programs; permanent dental exemption from voluntary residency reduction programs.
Sec. 106. Dental health professional shortage areas.
TITLE II—ENSURING DELIVERY OF PEDIATRIC DENTAL SERVICES UNDER THE MEDICAID AND SCHIP PROGRAMS
Sec. 201. Increased FMAP and fee schedule for dental services provided to children under the medicaid program.
Sec. 202. Required minimum medicaid expenditures for dental health services.
Sec. 203. Requirement to verify sufficient numbers of participating dental health professionals under the medicaid program.
Sec. 204. Inclusion of recommended age for first dental visit in definition of EPSDT services.
Sec. 205. Approval of final regulations implementing changes to EPSDT services.
Sec. 206. Use of SCHIP funds to treat children with special dental health needs.
Sec. 207. Grants to supplement fees for the treatment of children with special dental health needs.
Sec. 208. Demonstration projects to increase access to pediatric dental services in underserved areas.
TITLE III—PEDIATRIC DENTAL RESEARCH
Sec. 301. Identification of interventions that reduce the burden and transmission of oral, dental, and craniofacial diseases in high risk populations; development of approaches for pediatric oral and craniofacial assessment.
Sec. 302. Agency for Health Care Policy and Research.
Sec. 303. Oral health professional research and training program.
Sec. 304. Consensus development conference.
TITLE IV—SURVEILLANCE AND ACCOUNTABILITY
Sec. 401. CDC reports.
Sec. 402. Reporting requirements under the medicaid program.
Sec. 403. Administration on Children, Youth, and Families.
Sec. 404. Special supplemental food program for women, infants, and children.
TITLE V—ORAL HEALTH PROMOTION AND DISEASE PREVENTION
Sec. 501. Grants to increase resources for community water fluoridation.
Sec. 502. Community water fluoridation.
Sec. 503. Community-based dental sealant program.
TITLE VI—MISCELLANEOUS
Sec. 601. Effective date.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The 1995 Institute of Medicine report on dental education finds that oral health is an integral part of total health, and is integral to comprehensive health, including primary care.

(2) Tooth decay is the most prevalent preventable chronic disease of childhood and only the common cold, the flu, and otitis media occur more often among young children.

(3) Despite the design of the medicaid program to reach children and ensure access to routine dental care, in 1996, the Inspector

General of the Department of Health and Human Services reported that only 18 percent of children eligible for medicaid received even a single preventive dental service.

(4) The United States is facing a major dental health care crisis that primarily affects the poor children of our country, with 80 percent of all dental caries in children found in the 20 percent of the population.

(5) Low income children eligible for the medicaid program and the State children's health insurance program experience disproportionately high levels of oral disease.

(6) The United States is not training enough pediatric dental health care providers to meet the increasing need for dental services for children.

(7) The United States needs to increase access to health promotion and disease prevention activities in the area of oral health for children by increasing access to dental health providers for children.

TITLE I—EXPANDED OPPORTUNITIES FOR TRAINING PEDIATRIC DENTAL HEALTH CARE PROVIDERS

SEC. 101. CHILDREN'S DENTAL HEALTH TRAINING AND DEMONSTRATION PROGRAMS.

(a) IN GENERAL.—Subpart 2 of part E of title VII of the Public Health Service Act, as amended by the Health Professions Education Partnerships Act of 1998 (Public Law 105-392) is amended by adding at the end the following:

"SEC. 771. CHILDREN'S DENTAL HEALTH PROGRAMS.

''(a) TRAINING PROGRAM.—

''(1) IN GENERAL.—The Secretary, acting through the Bureau of Health Professions, shall develop training materials to be used by health professionals to promote oral health through health education.

''(2) DESIGN.—The materials developed under paragraph (1) shall be designed to enable health care professionals to—

''(A) provide information to individuals concerning the importance of oral health;

''(B) recognize oral disease in individuals; and

''(C) make appropriate referrals of individuals for dental treatment.

''(3) DISTRIBUTION.—The materials developed under paragraph (1) shall be distributed to—

''(A) accredited schools of the health sciences (including schools for physician assistants, schools of medicine, osteopathic medicine, dental hygiene, public health, nursing, pharmacy, and dentistry), and public or private institutions accredited for the provision of graduate or specialized training programs in all aspects of health; and

''(B) health professionals and community-based health care workers.

''(b) DEMONSTRATION PROGRAM.—

''(1) IN GENERAL.—The Secretary shall make grants to schools that train pediatric dental health providers to meet the costs of projects—

''(A) to plan and develop new training programs and to maintain or improve existing training programs in providing dental health services to children; and

''(B) to assist dental health providers in managing complex dental problems in children.

''(2) ADMINISTRATION.—

''(A) AMOUNT.—The amount of any grant under paragraph (1) shall be determined by the Secretary.

''(B) APPLICATION.—No grant may be made under paragraph (1) unless an application therefore is submitted to and approved by the Secretary. Such an application shall be in such form, submitted in such manner, and contain such information, as the Secretary shall by regulation prescribe.

''(C) ELIGIBILITY.—To be eligible for a grant under subsection (a), the applicant must demonstrate to the Secretary that it has or will have available full-time faculty and staff members with training and experience in the field of pediatric dentistry and support from other faculty and staff members trained in pediatric dentistry and other relevant specialties and disciplines such as dental public health and pediatrics, as well as research.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section.''.

(b) AUTHORIZATION OF APPROPRIATIONS FOR GENERAL AND PEDIATRIC DENTISTRY.—Section 747(e)(2)(A) of the Public Health Service Act (42 U.S.C. 293k(e)(2)(A), as amended by the Health Professions Education Partnerships Act of 1998 (Public Law 105-392) is amended in striking clause (iv) and inserting the following:

''(iv) not less than $8,000,000 for awards of grants and contracts under subsection (a) to programs of pediatric or general dentistry.''.

SEC. 102. INCREASE IN NATIONAL HEALTH SERVICE CORPS DENTAL TRAINING POSITIONS.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall increase the number of dental health providers skilled in treating children who become members of the Commissioned Corps of the U.S. Health Service and who are assigned to duty for the National Health Service Corps (referred to in this section as the ''Corps'') under subpart II of part D of title III of the Public Health Service Act (42 U.S.C. 254d et seq.) so that there are at least 100 additional Commissioned Corps dentists and dental hygienists in the Corps by 2001, at least 150 additional dentists and dental hygienists in the Commissioned Corps by 2002, and at least 300 additional dentists and dental hygienists in the Commissioner Corps by 2003.

(b) DETERMINATION OF DENTAL SITE READINESS.—By not later than January 1, 2001, the Secretary shall collaborate with dental education institutions, State and local public health dental officials and dental hygienist societies to determine dental site readiness, specifically in inner city, rural, frontier and border areas.

(c) REPORT BY CORPS.—The Corps shall annually report to Congress concerning how the Corps is meeting the oral health needs of children in underserved areas, including rural, frontier and border areas.

(d) LOAN REPAYMENT PROGRAM.—The Secretary shall increase the number of Corps dentists selected for loan repayments under the provisions referred to in subsection (a) in a sufficient number to address the demand for such repayment by qualified dentists. The Secretary shall increase the number of private practice dentists who contract with the Corps and allow for such student loan repayment.

(e) PEDIATRIC DENTISTS.—The Secretary shall ensure that at least 20 percent of the dentists in the Corps are pediatric dentists and that another 20 percent of the dentists in the Corps have general dentistry residency training.

SEC. 103. MATERNAL AND CHILD HEALTH CENTERS FOR LEADERSHIP IN PEDIATRIC DENTISTRY EDUCATION.

(a) EXPANSION OF TRAINING PROGRAMS.—The Secretary of Health and Human Services shall, through the Bureau of Health Professions, establish at least 10 Pediatric Dental Centers of Excellence with not less than 36 additional training positions annually for pediatric dentists at such centers of excellence. The Secretary shall ensure that such training programs are established in geographically diverse areas.

(b) DEFINITION.—In this section, the term 'centers of excellence' means a health professions school designated under section 736 of the Public Health Service Act (42 U.S.C. 293).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated, such sums as may be necessary to carry out this section.

SEC. 104. DENTAL OFFICER MULTIYEAR RETENTION BONUS FOR THE INDIAN HEALTH SERVICE.

(a) TERMS AND DEFINITIONS.—In this section:

(1) DENTAL OFFICER.—The term ''dental officer'' means an officer of the Indian Health Service designated as a dental officer.

(2) DIRECTOR.—The term ''Director'' means the Director of the Indian Health Service.

(3) CREDITABLE SERVICE.—The term ''creditable service'' includes all periods that a dental officer spent in graduate dental educational (GDE) training programs while not on active duty in the Indian Health Service and all periods of active duty in the Indian Health Service as a dental officer.

(4) RESIDENCY.—The term ''residency'' means a graduate dental educational (GDE) training program of at least 12 months leading to a speciality, including general practice residency (GPR) or a 12-month advanced education general dentistry (AEGD).

(5) SPECIALTY.—The term ''specialty'' means a dental specialty for which there is an Indian Health Service specialty code number.

(b) REQUIREMENTS FOR BONUS.—

(1) IN GENERAL.—An eligible dental officer of the Indian Health Service who executes a written agreement to remain on active duty for 2, 3, or 4 years after the completion of any other active duty service commitment to the Indian Health Service may, upon acceptance of the written agreement by the Director, be authorized to receive a dental officer multiyear retention bonus under this section. The Director may, based on requirements of the Indian Health Service, decline to offer such a retention bonus to any specialty that is otherwise eligible, or to restrict the length of such a retention bonus contract for a specialty to less than 4 years.

(2) LIMITATIONS.—Each annual dental officer multiyear retention bonus authorized under this section shall not exceed the following:

(A) $14,000 for a 4-year written agreement.

(B) $8,000 for a 3-year written agreement.

(C) $4,000 for a 2-year written agreement.

(c) ELIGIBILITY.—

(1) IN GENERAL.—In order to be eligible to receive a dental officer multiyear retention bonus under this section, a dental officer shall—

(A) be at or below such grade as the Director shall determine;

(B) have at least 8 years of creditable service, or have completed any active duty service commitment of the Indian Health Service incurred for dental education and training;

(C) have completed initial residency training, or be scheduled to complete initial residency training before September 30 of the fiscal year in which the officer enters into a dental officer multiyear retention bonus written service agreement under this section; and

(D) have a dental specialty in pediatric dentistry or oral and maxillofacial surgery, or be a dental hygienist with a minimum of a baccalaureate degree.

(2) EXTENSION TO OTHER OFFICERS.—The Director may extend the retention bonus to dental officers other than officers with a dental specialty in pediatric dentistry based on demonstrated need. The criteria used as the basis for such an extension shall be equitably determined and consistently applied.

(d) TERMINATION OF ENTITLEMENT TO SPECIAL PAY.—The Director may terminate at any time a dental officer's multiyear retention bonus contract under this section. If such a contract is terminated, the unserved portion of the retention bonus contract shall be recouped on a pro rata basis. The Director shall establish regulations that specify the conditions and procedures under which termination may take place. The regulations and conditions for termination shall be included in the written service contract for a dental officer multiyear retention bonus under this section.

(e) REFUNDS.—

(1) IN GENERAL.—Prorated refunds shall be required for sums paid under a retention bonus contract under this section if a dental officer who has received the retention bonus fails to complete the total period of service specified in the contract, as conditions and circumstances warrant.

(2) DEBT TO UNITED STATES.—An obligation to reimburse the United States imposed under paragraph (1) is a debt owed to the United States.

(3) NO DISCHARGE IN BANKRUPTCY.—Notwithstanding any other provision of law, a discharge in bankruptcy under title 11, United States Code, that is entered less than 5 years after the termination of a retention bonus contract under this section does not discharge the dental officer who signed such a contract from a debt arising under the contract or paragraph (1).

SEC. 105. MEDICARE PAYMENTS TO APPROVED NONHOSPITAL DENTISTRY RESIDENCY TRAINING PROGRAMS; PERMANENT DENTAL EXEMPTION FROM VOLUNTARY RESIDENCY REDUCTION PROGRAMS.

(a) MEDICARE PAYMENTS TO APPROVED NONHOSPITAL DENTISTRY TRAINING PROGRAMS.—Section 1886 of the Social Security Act (42 U.S.C. 1395ww) is amended by adding at the end the following:

''(l) PAYMENTS FOR NONHOSPITAL BASED DENTAL RESIDENCY TRAINING PROGRAMS.—

''(1) IN GENERAL.—Beginning January 1, 2000, the Secretary shall make payments under this paragraph to approved nonhospital based dentistry residency training programs providing oral health care to children for the direct and indirect expenses associated with operating such training programs.

''(2) PAYMENT AMOUNT.—

''(A) METHODOLOGY.—The Secretary shall establish procedures for making payments under this subsection.

''(B) TOTAL AMOUNT OF PAYMENTS.—In making payments to approved non-hospital based dentistry residency training programs under this subsection, the Secretary shall ensure that the total amount of such payments will not result in a reduction of payments that would otherwise be made under subsection (h) or (k) to hospitals for dental residency training programs.

''(C) APPROVED PROGRAMS.—The Secretary shall establish procedures for the approval of nonhospital based dentistry residency training programs under this subsection.''.

(b) PERMANENT DENTAL EXEMPTION FROM VOLUNTARY RESIDENCY REDUCTION PROGRAMS.—

(1) IN GENERAL.—Section 1886(h)(6)(C) of the Social Security Act (42 U.S.C. 1395ww(h)(6)(C)) is amended—

(A) by redesignating clauses (i) through (iii) as subclauses (I) through (III), respectively, and indenting such subclauses (as so redesignated) appropriately;

(B) by striking ''For purposes'' and inserting the following:

''(i) IN GENERAL.—Subject to clause (ii), for purposes''; and

(C) by adding at the end the following:

''(ii) DEFINITION OF 'APPROVED MEDICAL RESIDENCY TRAINING PROGRAM'.—In this subparagraph, the term 'approved medical residency training program' means only such programs in allopathic or osteopathic medicine.''.

(2) APPLICATION TO DEMONSTRATION PROJECTS AND AUTHORITY.—Section 4626(b)(3) of the Balanced Budget Act of 1997 (42 U.S.C. 1395ww note) is amended by inserting ''in allopathic or osteopathic medicine'' before the period.

(c) REMOVAL OF DENTISTS FROM FULL-TIME EQUIVALENT COUNT AVERAGING PROVISIONS.—

(1) MEDICARE IME.—Section 1886(d)(5)(B)(vi) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(B)(vi)) is amended by adding at the end the following: ''The determination (based on the 3-year average) described in subclause (II) shall apply only to residents in the fields of allopathic medicine and osteopathic medicine. All other residents shall be counted based on the actual full-time equivalent resident count for the cost-reporting period involved.''.

(2) MEDICARE DIRECT GME.—Section 1886(h)(4)(G)(i) of the Social Security Act (42 U.S.C. 1395ww(h)(4)(G)(i)) is amended by adding at the end the following: ''Such determination (based on the 3-year average) shall apply only to residents in the fields of allopathic medicine and osteopathic medicine. All other residents shall be counted based on the actual full-time equivalent resident count for the cost-reporting period involved.''.

(d) DEFINITION OF PRIMARY CARE RESIDENT.—Section 1886(h)(5)(H) of the Social Security Act (42 U.S.C. 1395ww(h)(5)(H)) is amended by striking ''or osteopathic general practice'' and inserting ''osteopathic general practice, general dentistry, advanced general dentistry, pediatric dentistry, or dental public health''.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by subsections (a), (c), and (d) take effect on the date of enactment of this Act.

(2) EXCEPTION.—The amendments made by subsection (b) shall take effect as if included in the enactment of the Balanced Budget Act of 1997.

SEC. 106. DENTAL HEALTH PROFESSIONAL SHORTAGE AREAS.

(a) DESIGNATION.—Section 332(a) of the Public Health Service Act (42 U.S.C. 254e(a)) is amended by adding at the end the following:

''(4)(A) In designating health professional shortage areas under this section, the Secretary may designate certain areas as dental health professional shortage areas if the Secretary determines that such areas have a severe shortage of dental health professionals. The Secretary shall develop, publish and periodically update criteria to be used in designating dental health professional shortage areas.

''(B) For purposes of this title a dental health professional shortage area shall be considered to be a health professional shortage area.''.

''(C) In subparagraph (A), the term 'dental health professional' includes general and pediatric dentists and dental hygienists.''.

(b) LOAN REPAYMENT PROGRAM.—Section 338B(b)(1)(A) of the Public Health Service Act (42 U.S.C. 254l–1(b)(1)(A)) is amended by inserting ''(including dental hygienists)'' after ''profession''.

(c) TECHNICAL AMENDMENT.—Section 331(a)(2) of the Public Health Service Act (42 U.S.C. 254d(a)(2)) is amended by inserting ''(including dental health services)'' after ''services''.

TITLE II—ENSURING DELIVERY OF PEDIATRIC DENTAL SERVICES UNDER THE MEDICAID AND SCHIP PROGRAMS

SEC. 201. INCREASED FMAP AND FEE SCHEDULE FOR DENTAL SERVICES PROVIDED TO CHILDREN UNDER THE MEDICAID PROGRAM.

(a) INCREASED FMAP.—Section 1903(a)(5) of the Social Security Act (42 U.S.C. 1396b(a)(5)) is amended—

(1) by striking ''equal to 90 per centum'' and inserting ''equal to—

''(A) 90 per centum'';

(2) by inserting ''and'' after the semicolon; and

(3) by adding at the end the following:

''(B) the greater of the Federal medical assistance percentage or 75 per centum of the sums expended during such quarter which are attributable to dental services for children;''.

(b) FEE SCHEDULE.—Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a)) is amended—

(1) in paragraph (65), by striking the period and inserting ''; and''; and

(2) by inserting after paragraph (65) the following:

''(66) provide for payment under the State plan for dental services for children at a rate that is designed to create an incentive for providers of such services to treat children in need of dental services (but that does not result in a reduction or other adverse impact on the extent to which the State provides dental services to adults).''.

SEC. 202. REQUIRED MINIMUM MEDICAID EXPENDITURES FOR DENTAL HEALTH SERVICES.

Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a)), as amended by section 201(b), is amended—

(1) in paragraph (65), by striking ''and'' at the end;

(2) in paragraph (66), by striking the period and inserting ''; and''; and

(3) by inserting after paragraph (66) the following:

''(67) provide that, beginning with fiscal year 2000—

''(A) not less than an amount equal to 7 percent of the total annual expenditures under the State plan for medical assistance provided to children will be expended during each fiscal year for dental services for children (including the prevention, screening, diagnosis, and treatment of dental conditions); and

''(B) the State will not reduce or otherwise adversely impact the extent to which the State provides dental services to adults in order to meet the requirement of subparagraph (A).''.

SEC. 203. REQUIREMENT TO VERIFY SUFFICIENT NUMBERS OF PARTICIPATING DENTAL HEALTH PROFESSIONALS UNDER THE MEDICAID PROGRAM.

Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a)), as amended by section 202, is amended—

(1) in paragraph (66), by striking ''and'' at the end;

(2) in paragraph (67), by striking the period and inserting ''; and''; and

(3) by inserting after paragraph (67) the following:

''(68) provide that the State will—

''(A) annually verify that the number of dental health professionals (as defined in section 332(a)(4)(C) of the Public Health Service Act) participating under the State plan—

''(i) satisfies the minimum established degree of participation of dental health professionals (as defined in section 332(a)(4)(C) of the Public Health Service Act) to the population of children in the State, as determined by the Secretary in accordance with the criteria used by the Secretary under section

332(a)(4) of such Act (42 U.S.C. 254e(a)(4)) to designate a dental health professional shortage area; and

''(ii) is sufficient to ensure that children enrolled in the State plan have the same level of access to dental services as the children residing in the State who are not eligible for medical assistance under the State plan; and

''(B) collect data on the number of children being served by dental health professionals as compared to the number of children eligible to be served, and the actual services provided.''.

SEC. 204. INCLUSION OF RECOMMENDED AGE FOR FIRST DENTAL VISIT IN DEFINITION OF EPSDT SERVICES.

Section 1905(r)(1)(A)(i) of the Social Security Act (42 U.S.C. 1396d(r)(1)(A)(i)) is amended by inserting ''and, with respect to dental services under paragraph (3), in accordance with guidelines for the age of a first dental visit that are consistent with guidelines of the American Dental Association, the American Dental Hygienist Association, the American Academy of Pediatric Dentistry, and the Bright Futures program of the Health Resources and Services Administration of the Department of Health and Human Services,'' after ''vaccines,''.

SEC. 205. APPROVAL OF FINAL REGULATIONS IMPLEMENTING CHANGES TO EPSDT SERVICES.

Not later than 30 days after the date of enactment of this Act, the Secretary of Health and Human Services shall issue final regulations implementing the proposed regulations based on section 6403 of the Omnibus Budget Reconciliation Act of 1989 (Public Law 101–239; 103 Stat. 2262) that were contained in the Federal Register issued for October 1, 1993.

SEC. 206. USE OF SCHIP FUNDS TO TREAT CHILDREN WITH SPECIAL DENTAL HEALTH NEEDS.

(a) IN GENERAL.—Section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended—

(1) in subsection (b), by striking ''or subsection (u)(3)'' and inserting ''subsection (u)(3), or subsection (u)(4)''; and

(2) in subsection (u)—

(A) by redesignating paragraph (4) as paragraph (5); and

(B) by inserting after paragraph (3) the following new paragraph:

''(4)(A) For purposes of subsection (b), the expenditures described in this paragraph are expenditures for medical assistance described in subparagraph (B) for a low-income child described in subparagraph (C), but only in the case of such a child who resides in a State described in subparagraph (D).

''(B) For purposes of subparagraph (A), the medical assistance described in this subparagraph consists of the following:

''(i) Dental services provided to children with special oral health needs, including advanced oral, dental, and craniofacial diseases and conditions.

''(ii) Outreach conducted to identify and treat children with such special dental health needs.

''(C) For purposes of subparagraph (A), a low-income child described in this subparagraph is a child whose family income does not exceed 50 percentage points above the medicaid applicable income level (as defined in section 2110(b)(4)).

''(D) A State described in this subparagraph is a State that, as of August 5, 1997, has under a waiver authorized by the Secretary or under section 1902(r)(2), established a medicaid applicable income level (as defined in section 2110(b)(4)) for children under 19 years of age residing in the State that is at or above 185 percent of the poverty line (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2), including any revision required by such section for a family of the size involved).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of section 4911 of the Balanced Budget Act of 1997 (Public Law 105–33; 111 Stat. 570).

SEC. 207. GRANTS TO SUPPLEMENT FEES FOR THE TREATMENT OF CHILDREN WITH SPECIAL DENTAL HEALTH NEEDS.

Title V of the Social Security Act (42 U.S.C. 701 et seq.) is amended by adding at the end the following:

''SEC. 511. GRANTS TO SUPPLEMENT FEES FOR THE TREATMENT OF CHILDREN WITH SPECIAL DENTAL HEALTH NEEDS.

''(a) AUTHORITY TO MAKE GRANTS.—

''(1) IN GENERAL.—In addition to any other payments made under this title to a State, the Secretary shall award grants to States to supplement payments made under the State programs established under titles XIX and XXI for the treatment of children with special oral health care needs.

''(2) DEFINITION OF CHILDREN WITH SPECIAL ORAL, DENTAL, AND CRANIOFACIAL HEALTH CARE NEEDS.—In this section the term 'children with special oral health care needs' means children with oral, dental and craniofacial conditions or disorders, and other acute or chronic medical, genetic, and behavioral disorders with dental manifestations.

''(b) APPLICATION OF OTHER PROVISIONS OF TITLE.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the other provisions of this title shall not apply to a grant made, or activities of the Secretary, under this section.

''(2) EXCEPTIONS.—The following provisions of this title shall apply to a grant made under subsection (a) to the same extent and in the same manner as such provisions apply to allotments made under section 502(c):

''(A) Section 504(b)(4) (relating to expenditures of funds as a condition of receipt of Federal funds).

''(B) Section 504(b)(6) (relating to prohibition on payments to excluded individuals and entities).

''(C) Section 506 (relating to reports and audits, but only to the extent determined by the Secretary to be appropriate for grants made under this section).

''(D) Section 508 (relating to nondiscrimination).

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section.''.

SEC. 208. DEMONSTRATION PROJECTS TO INCREASE ACCESS TO PEDIATRIC DENTAL SERVICES IN UNDERSERVED AREAS.

(a) AUTHORITY TO CONDUCT PROJECTS.—The Secretary of Health and Human Services, through the Administrator of the Health Care Financing Administration, the Administrator of the Health Resources and Services Administration, the Director of the Indian Health Service, and the Director of the Centers for Disease Control and Prevention shall establish demonstration projects that are designed to increase access to dental services for children in underserved areas, as determined by the Secretary.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section.

TITLE III—PEDIATRIC DENTAL RESEARCH

SEC. 301. IDENTIFICATION OF INTERVENTIONS THAT REDUCE THE BURDEN AND TRANSMISSION OF ORAL, DENTAL, AND CRANIOFACIAL DISEASES IN HIGH RISK POPULATIONS; DEVELOPMENT OF APPROACHES FOR PEDIATRIC ORAL AND CRANIOFACIAL ASSESSMENT.

(a) IN GENERAL.—The Secretary of Health and Human Services, through the Maternal and Child Health Bureau, the Indian Health Service, and in consultation with the Agency for Health Care Policy and Research and the National Institutes of Health, shall—

(1) support community based research that is designed to improve our understanding of the etiology, pathogenesis, diagnosis, prevention, and treatment of pediatric oral, dental, craniofacial diseases and conditions and their sequelae in high risk populations;

(2) support demonstrations of preventive interventions in high risk populations; and

(3) develop clinical approaches to assess individual patients for pediatric dental disease.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated, such sums as may be necessary to carry out this section.

SEC. 302. AGENCY FOR HEALTH CARE POLICY AND RESEARCH.

Section 902(a) of the Public Health Service Act (42 U.S.C. 299a(a)) is amended—

(1) in paragraph (7), by striking ''and'' at the end;

(2) in paragraph (8), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(9) the barriers that exist, including access to oral health care for children, and the establishment of measures of oral health status and outcomes.''.

SEC. 303. ORAL HEALTH PROFESSIONAL RESEARCH AND TRAINING PROGRAM.

Part G of title IV of the Public Health Service Act is amended by inserting after section 487E (42 U.S.C. 288-5) the following:

''SEC. 487F. ORAL HEALTH PROFESSIONAL RESEARCH AND TRAINING PROGRAM.

''(a) IN GENERAL.—The Secretary, in consultation with the Director of the National Institute of Dental and Craniofacial Research, shall establish a program under which the Secretary will enter into contracts with qualified oral health professionals and such professionals will agree to conduct research or provide training with respect to pediatric oral, dental, and craniofacial diseases and conditions and in exchange the Secretary will agree to repay, for each year of service, not more than $35,000 of the principal and interest of the educational loans of such professionals.

''(b) QUALIFIED ORAL HEALTH PROFESSIONAL.—

''(1) DEFINITION.—In this section, the term 'qualified oral health professional' includes dentists and allied dental personnel serving in faculty positions.

''(2) SPECIAL PREFERENCE.—In entering into contacts under subsection (a), the Secretary shall give preference to qualified oral health professionals—

''(A) who are serving, or who have served in research or training programs of the National Institute of Dental and Craniofacial Research; or

''(B) who are providing services at institutions that provide oral health care to underserved pediatric populations in rural or border areas.

''(c) PRIORITIES.—The Secretary shall annually determine the clinical and basic research and training priorities for contracts under subsection (a), including dental caries, orofacial accidents or traumas, birth defects

such as cleft lip and palate and severe malocclusions, and new techniques and approaches to treatment.

''(d) CONTRACTS, OBLIGATED SERVICE, AND BREACH OF CONTRACT.—The provisions of section 338B concerning contracts, obligated service, and breach of contract, except as inconsistent with this section, shall apply to contracts under this section to the same extent and in the same manner as such provisions apply to contracts under such section 338B.

''(e) AVAILABILITY OF FUNDS.—Amounts available for carrying out this section shall remain available until the expiration of the second fiscal year beginning after the fiscal year for which such amounts were made available.''.

SEC. 304. CONSENSUS DEVELOPMENT CONFERENCE.

(a) IN GENERAL.—Not later than April 1, 2000, the Secretary of Health and Human Services, acting through the National Institute of Child Health and Human Development and the National Institute of Dental and Craniofacial Research, shall convene a conference (to be known as the ''Consensus Development Conference'') to examine the management of early childhood caries and to support the design and conduct of research on the biology and physiologic dynamics of infectious transmission of dental caries. The Secretary shall ensure that representatives of interested consumers and other professional organizations participate in the Consensus Development Conference.

(b) EXPERTS.—In administering the conference under subsection (a), the Secretary of Health and Human Services shall solicit the participation of experts in dentistry, including pediatric dentistry, dental hygiene, public health, and other appropriate medical and child health professionals.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section.

TITLE IV—SURVEILLANCE AND ACCOUNTABILITY

SEC. 401. CDC REPORTS.

(a) COLLECTION OF DATA.—The Director of the Centers for Disease Control and Prevention in collaboration with other organizations and agencies shall annually collect data describing the dental, craniofacial, and oral health of residents of at least 1 State from each region of the Department of Health and Human Services.

(b) REPORTS.—The Director shall compile and analyze data collected under subsection (a) and annually prepare and submit to the appropriate committees of Congress a report concerning the oral health of certain States.

SEC. 402. REPORTING REQUIREMENTS UNDER THE MEDICAID PROGRAM.

Section 1902(a)(43)(D) of the Social Security Act (42 U.S.C. 1396a(43)(D)) is amended—

(1) in clause (iii), by striking ''and'' and inserting ''with the specific dental condition and treatment provided identified,'';

(2) in clause (iv), by striking the semicolon and inserting a comma; and

(3) by adding at the end the following:

''(v) the percentage of expenditures for such services that were for dental services,

''(vi) the percentage of dental health professionals (as defined in section 332(a)(4)(C) of the Public Health Service Act) who are licensed in the State and provide services commensurate with eligibility under the State plan, and

''(vii) collect and submit data on the number of children being served as compared to the number of children who are eligible for services, and the actual services provided;''.

SEC. 403. ADMINISTRATION ON CHILDREN, YOUTH, AND FAMILIES.

The Administrator of the Administration on Children, Youth, and Families shall annually prepare and submit to the appropriate committees of Congress a report concerning the percentage of children enrolled in a Head Start or Early Start program who have access to and who obtain dental care, including children with special oral, dental, and craniofacial health needs. The Administrator of the Administration of Children, Youth and Families shall seek methods to reestablish intraagency agreements with the Administrator of the Health Resources and Services Administration to address technical assistance for its grantees in addressing access to preventive clinical services.

SEC. 404. SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS, AND CHILDREN.

Section 17(f) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(f)) is amended by adding at the end the following:

''(25) The State shall collect and submit data on the number of children being served under this section as compared to the number of children who are eligible for services, and the actual services provided.''.

TITLE V—ORAL HEALTH PROMOTION AND DISEASE PREVENTION

SEC. 501. GRANTS TO INCREASE RESOURCES FOR COMMUNITY WATER FLUORIDATION.

(a) IN GENERAL.—The Secretary of Health and Human Services, acting through the Director of the Division of Oral Health of the Centers for Disease Control and Prevention, may make grants to State or locality for the purpose of increasing the resources available for community water fluoridation.

(b) USE OF FUNDS.—A State shall use amounts provided under a grant under subsection (a)—

(1) to purchase fluoridation equipment;

(2) to train fluoridation engineers; or

(3) to develop educational materials on the advantages of fluoridation.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $25,000,000 for fiscal year 2000, and such sums as may be necessary for each subsequent fiscal year.

SEC. 502. COMMUNITY WATER FLUORIDATION.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary''), acting through the Director of the Indian Health Service and the Director of the Centers for Disease Control and Prevention, shall establish a demonstration project that is designed to assist rural water systems in successfully implementing the Centers for Disease Control and Prevention water fluoridation guidelines entitled ''Engineering and Administrative Recommendations for Water Fluoridation'' (referred to in this section as the ''EARWF'').

(b) REQUIREMENTS.—

(1) COLLABORATION.—The Director of the Indian Health Services shall collaborate with the Director of the Centers for Disease Control and Prevention in developing the project under subsection (a). Through such collaboration the Directors shall ensure that technical assistance and training are provided to tribal programs located in each of the 12 areas of the Indian Health Service. The Director of the Indian Health Service shall provide coordination and administrative support to tribes under this section.

(2) GENERAL USE OF FUNDS.—Amounts made available under this section shall be used to assist small water systems in improving the effectiveness of water fluoridation and to meet the recommendations of the EARWF.

(3) FLUORIDATION SPECIALISTS.—

(A) IN GENERAL.—In carrying out this section, the Secretary shall provide for the establishment of fluoridation specialist engineering positions in each of the Dental Clinical and Preventive Support Centers through which technical assistance and training will be provided to tribal water operators, tribal utility operators and other Indian Health Service personnel working directly with fluoridation projects.

(B) LIAISON.—A fluoridation specialist shall serve as the principal technical liaison between the Indian Health Service and the Centers for Disease Control and Prevention with respect to engineering and fluoridation issues.

(C) CDC.—The Director of the Centers for Disease Control and Prevention shall appoint individuals to serve as the fluoridation specialists.

(4) IMPLEMENTATION.—The project established under this section shall be planned, implemented and evaluated over the 5-year period beginning on the date on which funds are appropriated under this section and shall be designed to serve as a model for improving the effectiveness of water fluoridation systems of small rural communities.

(c) EVALUATION.—In conducting the ongoing evaluation as provided for in subsection (b)(4), the Secretary shall ensure that such evaluation includes—

(1) the measurement of changes in water fluoridation compliance levels resulting from assistance provided under this section;

(2) the identification of the administrative, technical and operational challenges that are unique to the fluoridation of small water systems;

(3) the development of a practical model that may be easily utilized by other tribal, State, county or local governments in improving the quality of water fluoridation with emphasis on small water systems; and

(4) the measurement of any increased percentage of Native Americans or Alaskan Natives who receive the benefits of optimally fluoridated water.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $25,000,000 for fiscal year 2000, and such sums as may be necessary for each subsequent fiscal year.

SEC. 503. SCHOOL-BASED DENTAL SEALANT PROGRAM.

(a) IN GENERAL.—The Secretary of Health and Human Services, acting through the Director of the Maternal and Child Health Bureau of the Health Resources and Services Administration, may award grants to States or localities to provide for the development of school-based dental sealant programs to improve the access of children to sealants.

(b) USE OF FUNDS.—A State shall use amounts received under a grant under subsection (a) to provide funds to eligible school-based entities or to public elementary or secondary schools to enable such entities or schools to provide children in second or sixth grade with access to dental care and dental sealant services. Such services shall be provided by licensed dental health professionals in accordance with State practice licensing laws.

(c) ELIGIBILITY.—To be eligible to receive funds under this section an entity shall—

(1) prepare and submit to the State an application at such time, in such manner and containing such information as the State may require; and

(2) be a public elementary or secondary school—

(A) that located in an urban area and in which and more than 50 percent of the student population is participating in Federal or State free or reduced meal programs; or

(B) that is located in a rural area and, with respect to the school district in which the school is located, the district involved has a median income that is at or below 235 percent of the poverty line, as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)).

Preference in awarding grants shall be provided to eligible entities that use dental

health care professionals in the most cost effective manner.

(d) COORDINATION WITH OTHER PROGRAMS.—(1) IN GENERAL.—An entity that receives funds from a State under this section shall serve as an enrollment site for purposes of enabling individuals to enroll in the State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) or in the State Children's Health Insurance Program under title XXI of such Act (42 U.S.C. 1397aa et seq.).

(2) CONFORMING AMENDMENT.—Section 1920A(b)(3)(A)(i) of the Social Security Act (42 U.S.C. 1396r–1a(b)(3)(A)(i)) is amended—

(A) by striking ''or (II)'' and inserting '', (II)''; and

(B) by inserting '', or (III) is an eligible community-based entity or a public elementary or secondary school that participates in the school-based dental sealant program established under section 503 of the Children's Dental Health Improvement Act of 1999'' before the semicolon.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $5,000,000 for fiscal year 2000, and such sums as may be necessary for each subsequent fiscal year.

TITLE VI—MISCELLANEOUS

SEC. 601. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in this Act, this Act and the amendments made by this Act take effect on the date of enactment of this Act.

(b) EXTENSION OF EFFECTIVE DATE FOR STATE LAW AMENDMENT.—In the case of a State plan under title XIX of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation in order for the plan to meet the additional requirements imposed by the amendments made by this Act, the State plan shall not be regarded as failing to comply with the requirements of such amendments solely on the basis of its failure to meet the additional requirements before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of the session is considered to be a separate regular session of the State legislature.

By Mr. TORRICELLI (for himself, Mr. KERRY, Mrs. MURRAY, and Mrs. BOXER):

S. 902. A bill to amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV; to the Committee on Finance.

EARLY TREATMENT FOR HIV ACT OF 1999

Mr. TORRICELLI. Mr. President, I rise today to introduce the Early Treatment for HIV Act. In recent years, exciting scientific breakthroughs have led to an improved understanding of AIDS and provided powerful new treatments for Americans living with HIV disease. Commonly known as the protease cocktail, these drugs have helped transform HIV into a manageable chronic disease. To be most effective, the medical community and the U.S. Department of Health and Human Services (HHS) recommends the use of these treatments early in the course HIV infection, before the onset of symptoms. Tragically though, the high cost of these drugs means that only those of significant financial means have access to them.

In another tragic irony, vulnerable low-income HIV-positive Americans cannot receive AIDS-preventing drugs under the Medicaid program until they develop full blown AIDS. By that time, their preventive value has greatly diminished. To correct this glaring flaw in the Medicaid program, the Early Treatment for HIV Act will ensure that HIV positive, low income patients, will be eligible for medical services immediately.

The benefits of this legislation are overwhelming. A report released at the 12th World AIDS Conference in Geneva found that treatment for HIV early in the course of the disease is both medically and economically effective. Another report by the University of California found that expanding Medicaid to provide wider access to HIV therapies would prevent thousands of deaths and AIDS diagnoses, leading to 14,500 more years of life for persons living with HIV disease over five years.

In terms of economic savings, several recent studies have found that money spent ''up front'' on medications are offset by later savings on hospitalizations and other expensive care and treatments for AIDS-related illnesses. A report by the Medical Associates of Los Angeles found that each dollar spent on combination drugs therapies resulted in at least two dollars of savings and overall treatment costs.

Mr. President, the Early Treatment for HIV Act will help thousands of low-income people with HIV live longer, more fulfilling lives by allowing them to overcome the financial barriers to effective medical treatments.

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

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

S. 902

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 ''Early Treatment for HIV Act of 1999''.

SEC. 2. OPTIONAL MEDICAID COVERAGE OF LOW-INCOME HIV-INFECTED INDIVIDUALS.

(a) IN GENERAL.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended—

(1) in subsection (a)(10)(A)(ii)—

(A) by striking ''or'' at the end of subclause (XIII);

(B) by adding ''or'' at the end of subclause (XIV); and

(C) by adding at the end the following:

''(XV) who are described in subsection (aa) (relating to HIV-infected individuals);''; and

(2) by adding at the end the following new subsection:

''(aa) HIV-infected individuals described in this subsection are individuals not described in subsection (a)(10)(A)(i)—

''(1) who have HIV infection;

''(2) whose income (as determined under the State plan under this title with respect to disabled individuals) does not exceed the maximum amount of income a disabled individual described in subsection (a)(10)(A)(i) may have and obtain medical assistance under the plan; and

''(3) whose resources (as determined under the State plan under this title with respect to disabled individuals) do not exceed the maximum amount of resources a disabled individual described in subsection (a)(10)(A)(i) may have and obtain medical assistance under the plan.''.

(b) CONFORMING AMENDMENTS.—Section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)) is amended, in the matter preceding paragraph (1)—

(1) by striking ''or'' at the end of clause (x);

(2) by adding ''or'' at the end of clause (xi); and

(3) by inserting after clause (xii) the following:

''(xii) individuals described in section 1902(aa);''.

(c) EXEMPTION FROM FUNDING LIMITATION FOR TERRITORIES.—Section 1108(g) of the Social Security Act (42 U.S.C. 1308(g)) is amended by adding at the end the following:

''(3) DISREGARDING MEDICAL ASSISTANCE FOR OPTIONAL LOW-INCOME HIV-INFECTED INDIVIDUALS.—The limitations under subsection (f) and the previous provisions of this subsection shall not apply to amounts expended for medical assistance for individuals described in section 1902(aa) who are only eligible for such assistance on the basis of section 1902(a)(10)(A)(ii)(XV).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to calendar quarters beginning on or after the date of the enactment of this Act, without regard to whether or not final regulations to carry out such amendments have been promulgated by such date.

By Mr. KOHL (for himself and Mr. DEWINE):

S. 903. A bill to facilitate the exchange by law enforcement agencies of DNA identification information relating to violent offenders, and for other purposes; to the Committee on the Judiciary.

VIOLENT OFFENDER DNA IDENTIFICATION ACT OF 1999

• Mr. KOHL. Mr. President, I rise today with Senator DEWINE to introduce the Violent Offender DNA Identification Act of 1999. This bipartisan measure will put more criminals behind bars by correcting practical and legal shortcomings that leave too much crucial DNA evidence unused and too many violent crimes unsolved.

Currently, all 50 states require DNA samples to be obtained from certain convicted offenders, and these samples increasingly can be shared through a national DNA database established by Federal law. This national database—part of the Combined Database Index System (CODIS)—enables law enforcement officials to link DNA evidence found at a crime scene with any suspect whose DNA is already on file. By identifying repeat offenders, this DNA sharing can and does make a difference. Already the FBI has recorded over 400 matches through DNA databases, helping solve numerous crimes. And in my home state of Wisconsin, experience proves that DNA ''sharing'' pays off. We've already had 19 ''hits'' that have assisted more than 20 criminal investigations. In fact, just a week

before the statute of limitations ran out in a multiple rape investigation, DNA matching helped identify a serial rapist responsible for three rapes in Kenosha and a fourth in Racine. As a result, he's currently serving an 80-year sentence. Without DNA databases, suspects like this otherwise might never be discovered—or convicted.

As valuable as this system is, it is not as effective as it could—or should—be. The effectiveness of the database is directly related to the number of DNA profiles it contains. For every 1,000 new profiles, we can expect to find at least one match, and with every new profile added, the odds for a match increase. However, there are currently two major obstacles to the effective functioning of the database. Our measure would correct these problems and make the database far more productive.

First, hundreds of thousands of DNA samples that have already been collected still must be analyzed before they can be entered into the national database. The FBI estimates that there is a backlog of nearly 400,000 DNA samples from convicted offenders languishing, unanalyzed, in state crime laboratories for simple lack of funding.

Our measure will reduce the backlog of unanalyzed samples by providing the funding necessary to analyze them and put them ''on-line.'' It provides $30 million over two years to erase the backlog of the 400,000 unanalyzed samples and the almost-as-pressing backlog of approximately 200,000 more samples that need to be reanalyzed using state-of-the-art methods. For example, in Wisconsin, we have almost 2,000 samples that have not yet been analyzed, and more than 10,000 that need to be reanalyzed so they can be effectually shared through the national database.

Indeed, easing this backlog was the lead recommendation of the National Commission on the Future of DNA Evidence appointed by the Attorney General. As the Commission explained, ''the power of the CODIS program lies in the sheer numbers of convicted offender samples that are processed and entered into the database.''

Second, for some inexplicable reason, we do not collect samples from Federal and D.C. offenders. So while the database can identify a suspect whose DNA is on file in one of the 50 states, it generally won't catch a Federal or D.C. offender. Under current law, that suspect will not be identified; his crime may not be solved; and he could get off scot-free. We thought we already closed this loophole through 1996 legislation which provides that the FBI ''may expand [the database] to include Federal crimes and crimes committed in the District of Columbia,'' but Federal officials claim more express authority is necessary. We are not so sure they're right, but there is no need to wait any longer.

Our measure closes once and for all this loophole that allows DNA samples from Federal (including military) and Washington, D.C. offenders to go uncollected. Under our proposal, DNA samples would be obtained from any Federal offender—or any D.C. offender under Federal custody or supervision—convicted of a violent crime or other qualifying offense. And it would require the collection of samples from juveniles found delinquent under Federal law for conduct that would constitute a violent crime if committed by an adult. Our proposal was prepared with the assistance of the FBI, the Administrative Office of the U.S. Courts, the Bureau of Prisons, the U.S. Parole Commission, agencies within the District of Columbia responsible for supervision of released felons, and the Department of Defense.

Mr. President, modern crime-fighting technology like DNA testing and DNA databases make law enforcement much more effective. But in order to take full advantage of these valuable resources, we need this measure to make the database as comprehensive—and as productive—as possible. Violent criminals should not be able to evade arrest simply because a state didn't analyze its DNA samples or because an inexcusable loophole leaves Federal and D.C. offenders out of the DNA database. This measure will ensure that we apprehend violent repeat offenders, regardless of whether they originally violated state, Federal or D.C. law. And, by collecting more DNA evidence and utilizing the best of DNA technology, we also can help exonerate individual suspects whose DNA does not match with particular crime scenes.

The Senate has already made clear that issues like these need to be addressed. In this year's Budget, we acknowledged that ''tremendous backlogs * * * prevent swift administration of justice and impede fundamental individual rights, such as the right to a speedy trial and to exculpatory evidence.'' We unanimously concluded that it was the Sense of the Senate that ''Congress should consider legislation that specifically addresses the backlogs in State and local crime laboratories and medical examiner's offices.''

Mr. President, this measure will help police use modern technology to solve crimes and prevent repeat offenders from committing new ones. So we look forward to working with our colleagues and with the Department of Justice to move this measure forward and help law enforcement keep pace with today's criminal.●

● Mr. DEWINE. Mr. President, today I rise to introduce the ''Violent Offender DNA Identification Act of 1999,'' with my colleague Senator HERB KOHL. Existing anti-crime technology can allow us to solve many violent crimes that occur in our communities—but in order for it to work, it has to be used.

I have been a longtime advocate for use of the Combined DNA Indexing System (CODIS), a national DNA database, to profile convicted offender DNA. In fact, during consideration of the Anti-Terrorism Act of 1996, I proposed a provision under which Federal convicted offenders' DNA would be included in CODIS. Unfortunately, the Department of Justice never implemented this law, though currently all 50 states collect DNA from convicted offenders.

One of the purposes of this legislation is to expressly require the collection of DNA samples from federally convicted felons, and military personnel convicted of similar offenses. Collection of convicted offender DNA is crucial to solving many of the crimes occurring in our communities. Statistics show that many of these violent felons will repeat their crimes once they are back in society. Since the Federal government does not collect DNA from these felons, however, law enforcement's ability to rapidly identify likely suspects is retarded. Collection of such data is critical.

The case of Mrs. Debbie Smith of Virginia underscores the importance of collection of DNA from convicted offenders. Debbie Smith was at her home in the middle of the day when a masked intruder entered her unlocked back door. Her husband, a police lieutenant, was upstairs sleeping. The stranger blindfolded Mrs. Smith and took her to a wooded area behind her house where he robbed and repeatedly raped her. After warning Mrs. Smith not to tell, the assailant let her go. She told her husband, who reported the incident, then took her to the hospital where evidence was collected for DNA analysis.

Debbie Smith's rape experience was so terrible that she contemplated taking her own life. She continued to live in constant fear until six-and-a-half years later when a state crime laboratory found a CODIS match with an inmate then serving in jail for abduction and robbery. In fact, the offender was jailed on another offense one month after raping her. There are thousands of other crimes the DNA database can solve. With CODIS we can grant countless victims, like Mrs. Smith, peace of mind and bring their attackers swiftly to justice.

We need to do everything we can to make sure law enforcement has access to these tools. A major obstacle facing state and local crime laboratories are the backlogs of convicted offender samples. The Federal Bureau of Investigation estimates that there are about 450,000 convicted offender samples in state and local laboratories awaiting analysis. Increasing demand for DNA analysis in active cases, and limited resources, are reducing the ability of state and local crime laboratories to analyze their convicted offender backlogs. While I introduced, and Congress passed, the Crime Identification Technology Act of 1998 to address the long-term needs of crime laboratories, many crime laboratories need immediate assistance to address their short-term backlogs that will help law enforcement solve crime.

This bill would provide about $30 million, over 4 years, to help state and

local crime laboratories address their convicted offender backlogs. We are asking the FBI to work with private, state and local laboratories to organize regional laboratories to analysis backlogged State and local convicted offender samples. While we have considered many ways to address the backlog of convicted offender samples in state and local laboratories, we believe that the approach outlined in this legislation provides the fastest, most cost-effective and efficient method of eliminating the backlog.

Violent criminals should not be able to evade responsibility simply because a state lacks the resources to analyze their DNA samples, or because a loophole excludes certain Federal offenders from our national database. This legislation would be a huge asset for our local law enforcers in their day-to-day fight against crime. I thank Senator KOHL for his efforts.●

By Mr. SANTORUM (for himself and Mr. SPECTER):

S. 905. A bill to establish the Lackawanna Valley American Heritage Area; to the Committee on Energy and Natural Resources

LACKAWANNA VALLEY AMERICAN HERITAGE AREA ACT OF 1999

Mr. SANTORUM. Mr. President, I rise today to introduce a bill that would establish the Lackawanna Valley American Heritage Area. This legislation recognizes the significance of Pennsylvania's Lackawanna Valley, the site of the first state heritage park in the Commonwealth of Pennsylvania.

Nearly nine years ago, people in the Lackawanna Valley pursued their vision to recognize the cultural, historical, natural, and recreational values that existed within the region. As such, partnerships were formed among federal, state, and local governments, in addition to local business interests, to move this idea forward. As those partnerships evolved, that cooperation produced ''The Plan for the Lackawanna Heritage Valley.''

With the credo of ''community development through partnerships,'' the LHVA began developing a wide agenda of community projects that would come to define the term ''heritage park.'' Specifically, the LHVA was instrumental in creating the National Institute of Environmental Renewal, a ''living laboratory'' founded with the intention of identification and clean-up of the Lackawanna Valley's scarred industrial landscape. Through an adaptive re-use of a former school building, there now exists a 100,000 square foot Education and Training, Research and Development, and Technology Transfer Center.

Other projects taken on by the Authority include: construction of the Lackawanna Trolley Museum; designation of the Lackawanna River Heritage Trail; development of the Olyphant Elementary School housing project; and the ''Young People's Heritage Festival.'' One of the most significant undertakings by LHVA partners has been a research document commissioned by the National park Service and the PA Historical and Museum Commission. The study, ''Anthracite Coal in Pennsylvania: an Industry and a Region,'' concludes that, ''the anthracite industry of northeastern Pennsylvania played a critical role in the expansion of the American economy during the second quarter of the nineteenth century.''

The legislation that I am introducing today, with the support of Senator SPECTER, encourages the continuation of local interest by demonstrating the federal government's commitment to preserving the unique heritage of the Lackawanna Valley. It would require the Lackawanna Heritage Valley Authority to enter a compact with the Secretary of the Interior to establish Heritage Area boundaries, and to prepare and implement a management plan within three years. This plan would inventory resources and recommend policies for resource management interpretation. Further, based on the criteria of other Heritage Areas established by the Omnibus Parks and Public Lands Management Act of 1996, this bill requires that federal funds provided under this bill do not exceed 50 percent of the total cost of the program.

Mr. President, this legislation is a culmination of the hard work and diligence of many parties interested in preserving the cultural and natural resources of the Lackawanna Valley. I believe this bill represents the positive impact public and private institutions can have when given the opportunity for collaboration.

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

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

S. 905

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 ''Lackawanna Valley American Heritage Area Act of 1999''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the industrial and cultural heritage of northeastern Pennsylvania, including Lackawanna County, Luzerne County, Wayne County, and Susquehanna County, related directly to anthracite and anthracite-related industries, is nationally significant;

(2) the industries referred to in paragraph (1) include anthracite mining, ironmaking, textiles, and rail transportation;

(3) the industrial and cultural heritage of the anthracite and anthracite-related industries in the region described in paragraph (1) includes the social history and living cultural traditions of the people of the region;

(4) the labor movement of the region played a significant role in the development of the Nation, including—

(A) the formation of many major unions such as the United Mine Workers of America; and

(B) crucial struggles to improve wages and working conditions, such as the 1900 and 1902 anthracite strikes;

(5)(A) the Secretary of the Interior is responsible for protecting the historical and cultural resources of the United States; and

(B) there are significant examples of those resources within the region described in paragraph (1) that merit the involvement of the Federal Government to develop, in cooperation with the Lackawanna Heritage Valley Authority, the Commonwealth of Pennsylvania, and local and governmental entities, programs and projects to conserve, protect, and interpret this heritage adequately for future generations, while providing opportunities for education and revitalization; and

(6) the Lackawanna Heritage Valley Authority would be an appropriate management entity for a Heritage Area established in the region described in paragraph (1).

(b) PURPOSES.—The purposes of the Lackawanna Valley American Heritage Area and this Act are—

(1) to foster a close working relationship among all levels of government, the private sector, and the local communities in the anthracite coal region of northeastern Pennsylvania and enable the communities to conserve their heritage while continuing to pursue economic opportunities; and

(2) to conserve, interpret, and develop the historical, cultural, natural, and recreational resources related to the industrial and cultural heritage of the 4-county region described in subsection (a)(1).

SEC. 3. DEFINITIONS.

In this Act:

(1) HERITAGE AREA.—The term ''Heritage Area'' means the Lackawanna Valley American Heritage Area established by section 4.

(2) MANAGEMENT ENTITY.—The term ''management entity'' means the management entity for the Heritage Area specified in section 4(c).

(3) MANAGEMENT PLAN.—The term ''management plan'' means the management plan for the Heritage Area developed under section 6(b).

(4) PARTNER.—The term ''partner'' means—

(A) a Federal, State, or local governmental entity; and

(B) an organization, private industry, or individual involved in promoting the conservation and preservation of the cultural and natural resources of the Heritage Area.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 4. LACKAWANNA VALLEY AMERICAN HERITAGE AREA.

(a) ESTABLISHMENT.—There is established the Lackawanna Valley American Heritage Area.

(b) BOUNDARIES.—The Heritage Area shall be comprised of all or parts of Lackawanna County, Luzerne County, Wayne County, and Susquehanna County, Pennsylvania, determined in accordance with the compact under section 5.

(c) MANAGEMENT ENTITY.—The management entity for the Heritage Area shall be the Lackawanna Heritage Valley Authority.

SEC. 5. COMPACT.

(a) IN GENERAL.—To carry out this Act, the Secretary shall enter into a compact with the management entity.

(b) CONTENTS OF COMPACT.—The compact shall include information relating to the objectives and management of the area, including—

(1) a delineation of the boundaries of the Heritage Area; and

(2) a discussion of the goals and objectives of the Heritage Area, including an explanation of the proposed approach to conservation and interpretation and a general outline of the protection measures committed to by the partners.

SEC. 6. AUTHORITIES AND DUTIES OF MANAGEMENT ENTITY.

(a) AUTHORITIES OF MANAGEMENT ENTITY.—The management entity may, for the purposes of preparing and implementing the management plan, use funds made available under this Act—

(1) to make loans and grants to, and enter into cooperative agreements with, any State or political subdivision of a State, private organization, or person; and

(2) to hire and compensate staff.

(b) MANAGEMENT PLAN.—

(1) IN GENERAL.—The management entity shall develop a management plan for the Heritage Area that presents comprehensive recommendations for the conservation, funding, management, and development of the Heritage Area.

(2) CONSIDERATION OF OTHER PLANS AND ACTIONS.—The management plan shall—

(A) take into consideration State, county, and local plans;

(B) involve residents, public agencies, and private organizations working in the Heritage Area; and

(C) include actions to be undertaken by units of government and private organizations to protect the resources of the Heritage Area.

(3) SPECIFICATION OF FUNDING SOURCES.—The management plan shall specify the existing and potential sources of funding available to protect, manage, and develop the Heritage Area.

(4) OTHER REQUIRED ELEMENTS.—The management plan shall include the following:

(A) An inventory of the resources contained in the Heritage Area, including a list of any property in the Heritage Area that is related to the purposes of the Heritage Area and that should be preserved, restored, managed, developed, or maintained because of its historical, cultural, natural, recreational, or scenic significance.

(B) A recommendation of policies for resource management that considers and details application of appropriate land and water management techniques, including the development of intergovernmental cooperative agreements to protect the historical, cultural, natural, and recreational resources of the Heritage Area in a manner that is consistent with the support of appropriate and compatible economic viability.

(C) A program for implementation of the management plan by the management entity, including—

(i) plans for restoration and construction; and

(ii) specific commitments of the partners for the first 5 years of operation.

(D) An analysis of ways in which local, State, and Federal programs may best be coordinated to promote the purposes of this Act.

(E) An interpretation plan for the Heritage Area.

(5) SUBMISSION TO SECRETARY FOR APPROVAL.—

(A) IN GENERAL.—Not later than the last day of the 3-year period beginning on the date of enactment of this Act, the management entity shall submit the management plan to the Secretary for approval.

(B) EFFECT OF FAILURE TO SUBMIT.—If a management plan is not submitted to the Secretary by the day referred to in subparagraph (A), the Secretary shall not, after that day, provide any grant or other assistance under this Act with respect to the Heritage Area until a management plan for the Heritage Area is submitted to the Secretary.

(c) DUTIES OF MANAGEMENT ENTITY.—The management entity shall—

(1) give priority to implementing actions specified in the compact and management plan, including steps to assist units of government and nonprofit organizations in preserving the Heritage Area;

(2) assist units of government and nonprofit organizations in—

(A) establishing and maintaining interpretive exhibits in the Heritage Area;

(B) developing recreational resources in the Heritage Area;

(C) increasing public awareness of and appreciation for the historical, natural, and architectural resources and sites in the Heritage Area; and

(D) restoring historic buildings that relate to the purposes of the Heritage Area;

(3) encourage economic viability in the Heritage Area consistent with the goals of the management plan;

(4) encourage local governments to adopt land use policies consistent with the management of the Heritage Area and the goals of the management plan;

(5) assist units of government and nonprofit organizations to ensure that clear, consistent, and environmentally appropriate signs identifying access points and sites of interest are placed throughout the Heritage Area;

(6) consider the interests of diverse governmental, business, and nonprofit groups within the Heritage Area;

(7) conduct public meetings not less often than quarterly concerning the implementation of the management plan;

(8) submit substantial amendments (including any increase of more than 20 percent in the cost estimates for implementation) to the management plan to the Secretary for the Secretary's approval; and

(9) for each year in which Federal funds have been received under this Act—

(A) submit a report to the Secretary that specifies—

(i) the accomplishments of the management entity;

(ii) the expenses and income of the management entity; and

(iii) each entity to which any loan or grant was made during the year;

(B) make available to the Secretary for audit all records relating to the expenditure of such funds and any matching funds; and

(C) require, with respect to all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make available to the Secretary for audit all records concerning the expenditure of such funds.

(d) USE OF FEDERAL FUNDS.—

(1) FUNDS MADE AVAILABLE UNDER THIS ACT.—The management entity shall not use Federal funds received under this Act to acquire real property or any interest in real property.

(2) FUNDS FROM OTHER SOURCES.—Nothing in this Act precludes the management entity from using Federal funds obtained through law other than this Act for any purpose for which the funds are authorized to be used.

SEC. 7. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.

(a) TECHNICAL AND FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—

(A) PROVISION OF ASSISTANCE.—The Secretary may, at the request of the management entity, provide technical and financial assistance to the management entity to develop and implement the management plan.

(B) PRIORITY IN ASSISTANCE.—In assisting the management entity, the Secretary shall give priority to actions that assist in—

(i) conserving the significant historical, cultural, and natural resources that support the purposes of the Heritage Area; and

(ii) providing educational, interpretive, and recreational opportunities consistent with the resources and associated values of the Heritage Area.

(2) EXPENDITURES FOR NON-FEDERALLY OWNED PROPERTY.—

(A) IN GENERAL.—To further the purposes of this Act, the Secretary may expend Federal funds directly on non-federally owned property, especially for assistance to units of government relating to appropriate treatment of districts, sites, buildings, structures, and objects listed or eligible for listing on the National Register of Historic Places.

(B) STUDIES.—The Historic American Buildings Survey/Historic American Engineering Record shall conduct such studies as are necessary to document the industrial, engineering, building, and architectural history of the Heritage Area.

(b) APPROVAL AND DISAPPROVAL OF MANAGEMENT PLANS.—

(1) IN GENERAL.—The Secretary, in consultation with the Governor of the Commonwealth of Pennsylvania, shall approve or disapprove a management plan submitted under this Act not later than 90 days after receipt of the management plan.

(2) ACTION FOLLOWING DISAPPROVAL.—

(A) IN GENERAL.—If the Secretary disapproves a management plan, the Secretary shall advise the management entity in writing of the reasons for the disapproval and shall make recommendations for revisions to the management plan.

(B) DEADLINE FOR APPROVAL OF REVISION.—The Secretary shall approve or disapprove a proposed revision within 90 days after the date on which the revision is submitted to the Secretary.

(c) APPROVAL OF AMENDMENTS.—

(1) REVIEW.—The Secretary shall review substantial amendments (as determined under section 6(c)(8)) to the management plan for the Heritage Area.

(2) REQUIREMENT OF APPROVAL.—Funds made available under this Act shall not be expended to implement the amendments described in paragraph (1) until the Secretary approves the amendments.

SEC. 8. SUNSET PROVISION.

The Secretary shall not provide any grant or other assistance under this Act after September 30, 2012.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act $10,000,000, except that not more than $1,000,000 may be appropriated to carry out this Act for any fiscal year.

(b) 50 PERCENT MATCH.—The Federal share of the cost of activities carried out using any assistance or grant under this Act shall not exceed 50 percent.

By Mr. ABRAHAM:

S. 906. A bill to establish a grant program to enable States to establish and maintain pilot drug testing and drug treatment programs for welfare recipients engaging in illegal drug use, and for other purposes; to the Committee on Finance.

DRUG TESTING AND TREATMENT FOR WELFARE RECIPIENTS ACT OF 1999

Mr. ABRAHAM. Mr. President, I rise to introduce the Drug Testing and Treatment for Welfare Recipients Act of 1999. This legislation would establish a pilot program encouraging up to 5 States to implement drug testing and treatment programs for people receiving assistance through the Temporary Assistance to Needy Families Block Grant (TANF); the AFDC replacement established through the 1996 welfare reform law. It would fund these programs through three year competitive grants,

providing States with the resources and flexibility they need to establish the most effective drug testing and treatment programs for their communities.

Mr. President, across the nation, welfare caseloads are dropping. More and more welfare recipients are working to provide for their families and moving closer to complete independence from public assistance. According to the Congressional Research Service, in March of 1994 5.1 million families received assistance through the Aid to Families with Dependent Children program (AFDC). By September of 1998, those numbers had dropped to 2.9 million families receiving assistance through the Temporary Assistance to Needy Families (TANF) block grant program.

This 43% decline in the welfare caseload is encouraging. But it should not stop our efforts to help those hard-to-serve cases still on the rolls. Individuals who continue to receive welfare payments face daunting barriers to employment. One such barrier is drug addiction. People who are addicted to drugs have great trouble concentrating, keeping set schedules and maintaining basic order in their lives. For them, steady employment is often simply out of reach.

According to the Administration's Office of National Drug Control Policy, drug abuse has plagued America for over a century. It has torn families apart, regardless of socio-economic background as it has destroyed individual lives and spawned crime and social breakdown. Drugs pose a threat to the individual, the family, and the community. Individuals dependent on illegal substances cannot take care of themselves, much less their children, and drug dependence often leads to other crimes. Desperate to feed their addiction, abusers are often forced into theft, assault, or even worse crimes in the search for that next hit.

Today, an estimated 12.8 million Americans use illegal drugs. Approximately 45% of Americans know someone with a substance abuse problem. And the problem is particularly acute among young people preparing to enter adult life and the adult workforce. 25 percent of 12th graders still use illegal drugs regularly, as do 20 percent of 10th graders and 12 percent of 8th graders.

To combat the debilitating effects of drugs on addicts and those around them, this bill would enable States to fund drug testing and treatment programs for welfare recipients in their communities. It would do this by establishing a three year competitive grant program. States would apply for this grant by submitting a drug testing and treatment plan for their welfare recipients. The Secretary of Health and Human Services would then award the grant to up to 5 states in the amount of $1.5 million per year per state for three years, bringing the total cost of this grant program to $22.5 million.

The award decision will be based on two factors: (1) the need and ability of the State to address drug abuse by welfare recipients and (2) the ability of the State to continue such testing and treatment programs after the 3 year grant subsidies. Upon receiving the grant, States would be required to distribute the monies to entities already receiving funds through the Federal Substance Abuse Prevention and Treatment block grant (SAPT), the primary tool the federal government uses to support State substance abuse prevention and treatment programs. The States may allocate the funds in any manner they deem appropriate to establish programs that best serve their communities.

Mr. President, we often talk about breaking the cycle of poverty, and I believe that goes hand in hand with winning the drug war. I would like to read a brief quotation from the Administration's Office of National Drug Control Policy's National Drug Control Strategy. I think it makes an important point: ''While drug use and its consequences threaten Americans of every socio-economic background * * * the effects of drug use are often felt disproportionally. Neighborhoods where illegal drug markets flourish are plagued by attendant crime and violence.'' I have always been a strong advocate of community renewal and I truly believe that when we begin building drug-free families, safer streets, safer communities and more opportunities for our nation's economically disadvantaged will follow.

Treatment for welfare recipients engaged in illegal drug use is the most important form of assistance they will ever receive. The Office of National Drug Control Policy points out that ''Americans who lack comprehensive health plans and have smaller incomes may be less able to afford treatment programs to overcome drug dependence.''

Mr. President, this bill would put drug treatment dollars in the hands of those who need it most. States need these funds to help finance more comprehensive treatment programs not covered by Medicaid. Comprehensive services are desperately needed for the most serious victims of drug abuse. This grant program constitutes a small investment that would encourage States to address drug abuse by welfare recipients, further reducing rates of welfare dependency and other social problems related to drug addiction.

Ultimately, our goal is to help individuals provide for their families and achieve independence by breaking the cycle of dependency. This legislation will help significantly in that effort and I encourage my colleagues to give it their support.

Mr. President, I ask unanimous consent that the bill and a section-by-section analysis be printed in the RECORD.

There being no objection, the materials were ordered to be printed in the RECORD, as follows:

S. 906

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 ''Drug Testing and Treatment for Welfare Recipients Act of 1999''.

SEC. 2. PURPOSE.

The purpose of this Act is to create a grant program that assists States in establishing and maintaining pilot drug testing and drug treatment programs for welfare recipients who have a commitment to overcoming their substance abuse problems and are in acute need of overcoming such problems.

SEC. 3. DEFINITIONS.

In this Act:

(1) DRUG.—The term ''drug'' means a drug within the meaning of subpart II of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x-21 et seq.).

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

(3) WELFARE AGENCY.—The term ''welfare agency'' means a State agency carrying out a program described in paragraph (4).

(4) WELFARE RECIPIENT.—The term ''welfare recipient'' means an individual in a State who is receiving assistance under the State temporary assistance for needy families program established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

SEC. 4. PROGRAM AUTHORIZED.

The Secretary may award grants to States to establish and maintain pilot drug testing programs and drug treatment programs for welfare recipients in each State that receives a grant.

SEC. 5. APPLICATIONS.

(a) IN GENERAL.—To be eligible to receive a grant under this Act, a State shall submit an application to the Secretary.

(b) CONTENTS.—Each application submitted pursuant to subsection (a) shall—

(1) describe a program to provide drug testing for welfare recipients in the State; and

(2) describe a drug treatment program for welfare recipients in the State that provides treatment if such a recipient receives a positive result on a test described in paragraph (1).

SEC. 6. CRITERIA FOR AWARD OF GRANTS.

(a) IN GENERAL.—The Secretary shall award grants to eligible States under section 4 on a competitive basis in accordance with the criteria set out in subsection (b).

(b) CRITERIA.—The Secretary shall award grants to eligible States based on the following criteria:

(1) The need and ability of a State to address drug use by welfare recipients.

(2) The ability of the State to continue the State programs established under this Act after the grant program established under this Act is concluded.

SEC. 7. AWARDS.

(a) AMOUNT OF GRANT.—The Secretary shall award a grant under this Act in the amount of $1,500,000 per year.

(b) DURATION.—The Secretary shall award a grant under this Act for a period of 3 years.

(c) LIMITATION ON NUMBER OF GRANTS.—The Secretary shall award grants under this Act to not more than 5 States.

SEC. 8. USE OF FUNDS.

(a) IN GENERAL.—A State that receives a grant under this Act shall use the funds made available through the grant to establish and maintain the programs described in the application submitted by the State under section 5.

(b) DISTRIBUTION BY STATES.—Each State receiving a grant under this Act shall distribute grant funds only to entities that are

receiving assistance under subpart II of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x-21 et seq.).

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

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

DRUG TESTING AND TREATMENT FOR WELFARE RECIPIENTS ACT OF 1999—SECTION-BY-SECTION ANALYSIS

A bill to establish a grant program to enable States to establish and maintain pilot drug testing and drug treatment programs for welfare recipients engaging in illegal drug use, and for other purposes.

Section 1. Short Title.

The act may be cited as the ''Drug Testing and Treatment for Welfare Recipients Act of 1999''.

Section 2. Purpose.

The purpose of this Act is to create a grant program that assists States in establishing and maintaining pilot drug testing and drug treatment programs for welfare recipients that have an acute and intensive need in overcoming drug abuse.

Section 3. Definitions.

This section defines various terms used in the bill. Significantly, for the purposes of this legislation, a welfare recipient is defined as an individual receiving assistance under the State temporary assistance for needy families (TANF) grant program. A welfare agency is any State agency that carries out the TANF program.

Section 4. Program Authorized.

This section states that the Secretary of Health and Human Services may award grants to States to establish and maintain pilot drug testing and treatment programs in each State receiving the grant.

Section 5. Applications.

To receive a grant, a State must submit an application to the Secretary of Health and Human Services that describes a program to provide drug testing and treatment for welfare recipients in the State.

Section 6. Criteria for award of grants.

These grants will be awarded on a competitive basis and shall be based on the need and ability of the State to address drug use by welfare recipients and the ability of the State to continue such testing and treatment programs after this Act sunsets.

Section 7. Awards.

The Secretary will award the grant to no more than 5 States. Each grant will be $1.5 million dollars per year for three years. That brings the total cost of this Act to $22.5 million dollars.

Section 8. Use of Funds.

The State shall distribute grant funds to those entities that currently receive federal funding in the form of the Substance Abuse Prevention and Treatment block grant (SAPT). The grant money, which will be allotted in amounts determined solely by the States, will be used for treatment purposes.

Section 9. Authorization of Appropriations.

This section authorizes to be appropriated such sums as may be necessary to carry out this Act.

By Mr. SMITH of New Hampshire:

S. 907. A bill to protect the right to life of each born and preborn human person in existence at fertilization; to the Committee on the Judiciary.

RIGHT TO LIFE ACT OF 1999

Mr. SMITH of New Hampshire. Mr. President, I rise today to introduce the Right to Life Act of 1999.

Our Nation's founding document, the Declaration of Independence, declared for all the world that we hold it to be self-evident that the right to life comes from God and that it is unalienable. Life itself, the Declaration held, is the fundamental right without which the rights to liberty and the pursuit of happiness have to meaning. As the author of the Declaration, Thomas Jefferson, later wrote, ''The care of human life and not its destruction . . . is the first and only object of good government.''

Almost 200 years after the Declaration of Independence, however, in 1973, the United States Supreme Court violated its most sacred principle. In Roe versus Wade, the Supreme Court held that the entire class of unborn children—from fertilization to birth—have no right to life and may be destroyed at will. In subsequent cases, the Court has zealously guarded the right to abortion that it created. The Court has repeatedly rejected all meaningful attempts by the States to protect the unalienable right to life of unborn children.

Those of us who proudly count ourselves to be members of the right-to-life movement must not lose sight of our ultimate goal. Our objective is to keep the Declaration's promise by reversing Roe versus Wade and restoring to unborn children their God-given right to life. In order to keep that hope alive in the Senate, I am introducing today the ''Right to Life Act of 1999.''

My bill first sets forth several findings of Congress regarding the fundamental right to life and the tragic constitutional errors of Roe versus Wade. Based on these findings and in the exercise of the powers of the Congress under Article I, Section 8, of the Constitution, and Section 5 of the Fourteenth Amendment to the Constitution, my bill establishes that ''the right to life guaranteed by the Constitution is vested in each human being at fertilization.''

Mr. President, I ask unanimous consent that the text of my bill, the ''Right to Life Act of 1999,'' be printed in the RECORD.

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

S. 907

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 ''Right to Life Act of 1999''.

SEC. 2. The Congress finds that—

(1) we, as a Nation, have declared that the unalienable right to life endowed by Our Creator is guaranteed by our Constitution for each human person:

(2) the Supreme Court, in *Roe* v. *Wade* (410 U.S. 113 at 159), stated: ''We need not resolve the difficult question of when life begins . . . the judiciary at this point in the development of man's knowledge, is not in a position to speculate as to the answer . . .'';

(3) the Supreme Court, in *Roe* v. *Wade* (410 U.S. 113 at 156–157), stated: ''If this suggestion of personhood is established, the appellant's case, of course, collapses, for the fetus' right to life is then guaranteed specifically by the [Fourteenth] Amendment . . .'';

(4) the Supreme Court, in *Roe* v. *Wade* stated that the privacy right is not absolute, and stated (410 U.S. 113, at 159) that: ''The pregnant woman cannot be isolated in her privacy. She carries an embryo and, later, a fetus. . . . The woman's privacy is no longer sole and any right of privacy she possesses must be measured accordingly.'';

(5) a human father and mother beget a human offspring when the father's sperm fertilizes the mother's ovum, and the life of each preborn human person begins at fertilization;

(6) there is no justification for any Federal, State, or private action intentionally to kill an innocent born or preborn human person, and that Federal, State, and private action must assure equal care and protection for the right to life of both a pregnant mother and her preborn child in existence at fertilization;

(7) Americans and our society suffer from the evils of killing even one innocent born or preborn human person, and each day suffer the torture and slaughter of an estimated 4,000 preborn persons;

(8) the intentional killing of preborn human persons occurs in Federal enclaves, in interstate commerce activities, and in the States, estimated at 1,500,000 per year and 33,000,000 since 1973; and

(9) the violence of intentionally killing a preborn human person has provoked more violence, carnage, and conflict reaching into homes, schools, churches, workplaces and lives of Americans.

SEC. 3. RIGHT TO LIFE.

Upon the basis of these findings and in the exercise of duty, authority, and powers of the Congress, including its power under Article I, Section 8, to make necessary and proper laws, and including its power under section 5 of the 14th article of amendment to the Constitution of the United States, the Congress hereby declares that the right to life guaranteed by the Constitution is vested in each human being at fertilization.

SEC. 4. DEFINITION OF STATE.

For the purpose of this Act, the term ''State'' used in the 14th article of amendment to the Constitution of the United States and other applicable provisions of the Constitution includes the District of Columbia, the Commonwealth of Puerto Rico, and each other territory or possession of the United States.

By Mr. DORGAN:

S. 908. A bill to establish a comprehensive program to ensure the safety of food products intended for human consumption that are regulated by the Food and Drug Administration, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

CONSUMER FOOD SAFETY ACT OF 1999

Mr. DORGAN. Mr. President, I am introducing legislation Wednesday to improve the safety of the nation's food supply, by increasing educational efforts for food processors and handlers and the frequency of inspections for some of them. The bill also establishes new mechanisms for identifying food processors and handlers who originate contaminated food in order to improve federal recall and food safety law enforcement action.

Farmers produce high quality products and expect them to reach the consumer with the same high quality

standards observed. Farmers and consumers both have an interest in assuring the unquestioned safety of our food.

The new global economy is another reason for strengthening the nations' food safety laws. With the new global economy, we have food moving around the world without much understanding of where its coming from, who produced it, and under what conditions. I think it calls for a much more rigorous food inspections, not only for the safety of consumers, but to safeguard the reputation of the products our farmers produce.

Another important feature of the bill is new authority for inspection of food and food products at the border as they enter the United States from foreign countries, and in some cases inspections at food processing plants located in foreign countries.

A similar bill will be introduced shortly in the U.S. House by Representative FRANK PALLONE (D–NJ), underscoring the urban-rural, producer-consumer nature of the new drive for improved food safety laws.

ADDITIONAL COSPONSORS

S. 39

At the request of Mr. STEVENS, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 39, a bill to provide a national medal for public safety officers who act with extraordinary valor above the call of duty, and for other purposes.

S. 44

At the request of Mr. FRIST, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 44, a bill to amend the Gun-Free Schools act of 1994 to require a local educational agency that receives funds under the Elementary and Secondary Education Act of 1965 to expel a student determined to be in possession of an illegal drug, or illegal drug paraphernalia, on school property, in addition to expelling a student determined to be in possession of a gun, and for other purposes.

S. 241

At the request of Mr. JOHNSON, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 241, a bill to amend the Federal Meat Inspection Act to provide that a quality grade label issued by the Secretary of Agriculture for beef and lamb may not be used for imported beef or imported lamb.

S. 242

At the request of Mr. JOHNSON, the names of the Senator from South Dakota (Mr. DASCHLE) and the Senator from Florida (Mr. GRAHAM) were added as cosponsors of S. 242, a bill to amend the Federal Meat Inspection Act to require the labeling of imported meat and meat food products.

S. 303

At the request of Mr. MCCAIN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 303, a bill to amend the Communications Act of 1934 to enhance the ability of direct broadcast satellite and other multichannel video providers to compete effectively with cable television systems, and for other purposes.

S. 401

At the request of Mr. CAMPBELL, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 401, a bill to provide for business development and trade promotion for native Americans, and for other purposes.

S. 443

At the request of Mr. LAUTENBERG, the names of the Senator from Rhode Island (Mr. CHAFEE) and the Senator from Florida (Mr. GRAHAM) were added as cosponsors of S. 443, a bill to regulate the sale of firearms at gun shows.

S. 472

At the request of Mr. GRASSLEY, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 472, a bill to amend title XVIII of the Social Security Act to provide certain medicare beneficiaries with an exemption to the financial limitations imposed on physical, speech-language pathology, and occupational therapy services under part B of the medicare program, and for other purposes.

S. 512

At the request of Mr. GORTON, the names of the Senator from Michigan (Mr. ABRAHAM), the Senator from Minnesota (Mr. WELLSTONE), and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 512, a bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the activities of the Department of Health and Human Services with respect to research on autism.

S. 514

At the request of Mr. COCHRAN, the names of the Senator from Maine (Ms. COLLINS), the Senator from Hawaii (Mr. AKAKA), and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 514, a bill to improve the National Writing Project.

S. 517

At the request of Mr. GRAHAM, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 517, a bill to assure access under group health plans and health insurance coverage to covered emergency medical services.

S. 542

At the request of Mr. ABRAHAM, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 542, a bill to amend the Internal Revenue Code of 1986 to expand the deduction for computer donations to schools and allow a tax credit for donated computers.

S. 577

At the request of Mr. HATCH, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 577, a bill to provide for injunctive relief in Federal district court to enforce State laws relating to the interstate transportation of intoxicating liquor.

S. 597

At the request of Mr. SMITH, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 597, a bill to amend section 922 of chapter 44 of title 28, United States Code, to protect the right of citizens under the Second Amendment to the Constitution of the United States.

S. 600

At the request of Mr. WELLSTONE, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 600, a bill to combat the crime of international trafficking and to protect the rights of victims.

S. 625

At the request of Mr. GRASSLEY, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 625, a bill to
States Code, and for other purposes.

S. 631

At the request of Mr. DEWINE, the names of the Senator from North Carolina [Mr. HELMS] and the Senator from West Virginia [Mr. BYRD] were added as cosponsors of S. 631, a bill to amend the Social Security Act to eliminate the time limitation on benefits for immunosuppressive drugs under the medicare program, to provide continued entitlement for such drugs for certain individuals after medicare benefits end, and to extend certain medicare secondary payer requirements.

S. 638

At the request of Mr. BINGAMAN, the names of the Senator from Hawaii [Mr. AKAKA], and the Senator from Arkansas [Mr. HUTCHINSON] were added as cosponsors of S. 638, a bill to provide for the establishment of a School Security Technology Center and to authorize grants for local school security programs, and for other purposes.

S. 662

At the request of Mr. CHAFEE, the names of the Senator from New York [Mr. SCHUMER], the Senator from Alaska [Mr. MURKOWSKI], the Senator from Arkansas [Mrs. LINCOLN], and the Senator from North Dakota [Mr. DORGAN] were added as cosponsors of S. 662, a bill to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program.

S. 697

At the request of Mrs. BOXER, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 697, a bill to ensure that a woman can designate an obstetrician or gynecologist as her primary care provider.

S. 721

At the request of Mr. GRASSLEY, the name of the Senator from Colorado