best to develop these programs. The Good Samaritan portion of the bill is crafted so as not to pre-empt existing State laws, as well as to encourage States to continue to act on this issue in the future. In a matter of two or three years, 43 states have passed some form of AED Good Samaritan protection, which this bill will not pre-empt.

Mr. President, I am pleased that the Senate has taken action on this important piece of legislation and I look forward to its ultimate enactment into law. I want to thank my colleague, Senator Gorton, and the leading the lead on this life saving proposal. I also would like to thank the American Heart Association and the American Red Cross for their help in drafting this legislation.

Ms. COLLINS. Mr. President, I ask unanimous consent that the substitute amendment be agreed to. The amendment (No. 2798) was agreed to.

Ms. COLLINS. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements related to the bill be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1268), as amended, was read the third time and passed.

Ms. COLLINS. Mr. President, I note I am very pleased to be a cosponsor of the legislation that was just passed by the Senate.

AMENDING THE PUBLIC HEALTH SERVICE ACT

Ms. COLLINS. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. 1298, and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1298) to amend the Public Health Service Act to provide support for the modernization and construction of biomedical and behavioral research facilities and laboratory instrumentation. There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 2799

(Purpose: To modify the authorization of appropriations.)

Ms. COLLINS. Mr. President, Senator HARKIN has an amendment at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

On page 16, lines 14 and 15, strike "$250,000,000 for fiscal year 2000, $500,000,000" and insert "$250,000,000".

Ms. COLLINS. Mr. President, I ask unanimous consent that the amendment be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2799) was agreed to.

Ms. COLLINS. Mr. President, I ask unanimous consent that the bill be read a third time and passed, as amended, the motion to reconsider be laid upon the table, and that any statements related to the bill be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1268), as amended, was read the third time and passed, as follows:

SEC. 1. SHORT TITLE.

This Act may be cited as the "Twenty-First Century Research Laboratories Act".

SEC. 2. FINDINGS.

Congress finds that—

(1) the National Institutes of Health is the principal source of Federal funding for medical research at universities and other research institutions in the United States;

(2) the National Institutes of Health has received a substantial increase in research funding from Congress for the purpose of expanding the national investment of the United States in behavioral and biomedical research;

(3) the infrastructure of our research institutions is central to the continued leadership of the United States in medical research;

(4) if Congress increases the investment in cutting-edge basic and clinical research, it is critical that Congress also examine the current quality of the laboratories and buildings where research is being conducted, as well as the quality of laboratory equipment used in research;

(5) many of the research facilities and laboratories in the United States are outdated and inadequate;

(6) the National Science Foundation found, in a 1998 report on the status of biomedical research facilities, that over 59 percent of research-performing institutions indicated that they had an inadequate amount of medical research space;

(7) the National Science Foundation reports that academic institutions have deferred nearly $11,000,000,000 in renovation and construction projects because of a lack of funds; and

(8) future increases in Federal funding for the National Institutes of Health must include increases in support for the renovation and construction of extramural research facilities in the United States and the purchase of state-of-the-art laboratory instrumentation.

SEC. 3. BIOMEDICAL AND BEHAVIORAL RESEARCH FACILITIES.

Section 481A of the Public Health Service Act (42 U.S.C. 287a-2 et seq.) is amended to read as follows:

SEC. 481A. BIOMEDICAL AND BEHAVIORAL RESEARCH FACILITIES.

"(a) MODERNIZATION AND CONSTRUCTION OF FACILITIES.—

"(1) IN GENERAL.—The Director of NIH, acting through the Director of the Center, may make grants or contracts to public and nonprofit private entities to expand, remodel, renovate, or alter existing research facilities, or construct new research facilities, subject to the provisions of this section.

"(2) CONSTRUCTION AND MODERNIZATION OF CONSTRUCTION.—For purposes of this section, the terms 'conSTRUCTION' and 'cost of construction' include the construction of new buildings and the expansion, renovation, remodeling, and alteration of existing buildings, including architects' fees, but do not include the cost of acquisition of land or off-site improvements.

"(b) SCIENTIFIC AND TECHNICAL REVIEW BOARDS FOR MERIT-BASED REVIEW OF PROPOSALS.—

"(1) IN GENERAL: APPROVAL AS CONDITION ON GRANTS.—

"(A) ESTABLISHMENT.—There is established within the Center a Scientific and Technical Review Board on Biomedical and Behavioral Research Facilities (referred to in this section as the 'Board').

"(B) REQUIREMENT.—The Director of the Center may approve an application for a grant under subsection (a) only if the Board has approved the application for approval for the project described in the application.

"(2) DUTIES.—

"(A) ADVISORY.—The Board shall provide advice to the Director of the Center and the advisory council established under section 480 of this Act (in this section referred to as the 'Advisory Council') in carrying out this section.

"(B) DETERMINATION OF MERIT.—In carrying out subparagraph (A), the Board shall make a determination of the merit of each application submitted for a grant under subsection (a), after consideration of the requirements established in subsection (c), and shall report the results of the determination to the Director of the Center and the Advisory Council.

Such determinations shall be conducted in a manner consistent with procedures established under section 492.

"(C) AMOUNT.—In carrying out subparagraph (A), the Board shall, in the case of applications recommended for approval, make recommendations to the Director of the Center and the Advisory Council on the amount that should be provided under the grant.

"(D) ANNUAL REPORT.—In carrying out subparagraph (A), the Board shall prepare an annual report for the Director of the Center and the Advisory Council describing the activities of the Board in the fiscal year for which the report is made. Each such report shall be available to the public, and shall—

"(i) summarize and analyze expenditures made under this section;

"(ii) provide a summary of the types, numbers, and amounts of applications that were recommended for grants under subsection (a) but that were not approved by the Director of the Center; and

"(iii) contain the recommendations of the Board for any changes in the administration of this section.

"(3) MEMBERSHIP.—

"(A) IN GENERAL.—Subject to subparagraph (B), the Board shall be composed of 15 members to be appointed by the Director of the Center and such ad-hoc or temporary members as the Director of the Center determines to be appropriate. All members of the Board, including temporary and ad-hoc members, shall be voting members.

"(B) LIMITATION.—Not more than 3 individuals who are officers or employees of the Federal Government may serve as members of the Board.

"(4) CERTAIN REQUIREMENTS REGARDING MEMBERSHIP.—In selecting individuals for
membership on the Board, the Director of the Center shall ensure that the members are individuals who, by virtue of their training or experience, are eminently qualified to perform peer review functions. In selecting such individuals, such members shall be engaged in the performance of research that is to be supported by the Federal government.

The Director of the Center shall ensure that the members of the Board collectively—

(A) are experienced in the planning, construction, financing, and administration of entities that conduct biomedical or behavioral research sciences;

(B) are knowledgeable in making determinations of entities for biomedical or behavioral research facilities, including such facilities for the dentistry, nursing, pharmacy, and allied health professions;

(C) are knowledgeable in evaluating the relative priorities for applications for grants under subsection (a) in view of the overall research needs of the United States; and

(D) are experienced with emerging centers of excellence, as described in subsection (c)(2).

(5) Certain authorities.—

(A) WORKSHOPS AND CONFERENCES.—In carrying out paragraph (2), the Board may convene workshops and conferences, and collect data as the Board considers appropriate.

(B) SUBCOMMITTEES.—In carrying out paragraph (2), the Board may establish subcommittees within the Board. Such subcommittees may hold meetings as determined necessary to enable the subcommittee to carry out its duties.

(6) Terms.—

(A) IN GENERAL.—Except as provided in subparagraph (B), each appointed member of the Board shall hold office for a term of 4 years. Each member shall be appointed to fill a vacancy occurring prior to the expiration of the term for which such member’s predecessor was appointed or until the end of the most recent term of the member.

(B) STAGGERED TERMS.—Members appointed to the Board shall serve staggered terms as specified by the Director of the Center when making the appointments.

(C) REAPPOINTMENT.—No member of the Board shall be eligible for reappointment to the Board unless that member has been a member of the Board for a period of 4 years.

(D) COMPENSATION.—Members of the Board who are not officers or employees of the United States shall receive, in addition to any other compensation, such additional compensation as the Director of the Center determines to be necessary to enable the member to carry out the duties of membership.

(E) REAPPOINTMENT.—No member of the Board shall be eligible for reappointment to the Board unless that member has been a member of the Board for a period of 4 years.

(F) STAGGERED TERMS.—Members appointed to the Board shall serve staggered terms as specified by the Director of the Center when making the appointments.

(G) REAPPOINTMENT.—No member of the Board shall be eligible for reappointment to the Board unless that member has been a member of the Board for a period of 4 years.

(H) COMPENSATION.—Members of the Board who are not officers or employees of the United States shall receive, in addition to any other compensation, such additional compensation as the Director of the Center determines to be necessary to enable the member to carry out the duties of membership.

(I) IN GENERAL.—The Director of the Center may make a grant under subsection (a) only if the applicant for the grant meets the following conditions:

(A) The applicant is determined by such Director to be competent to engage in the type of research for which the proposed facility is to be constructed.

(B) The applicant provides assurances satisfactory to the Director that—

(i) for not less than 20 years after completion of the construction involved, the facility will be used for the purposes of the research for which it is to be constructed;

(ii) sufficient funds will be available, when construction is completed, for the effective use of the facility for the research for which it is to be constructed; and

(iii) the proposed construction will expand the applicant’s capacity for research, or is necessary to improve or maintain the quality of the research for which the grant is proposed.

(C) The applicant meets reasonable qualifications established by the Director with respect to—

(i) the relative scientific and technical merit of the applications, and the relative effectiveness of the proposed facilities, in expanding the capacity for biomedical or behavioral research and in improving the quality of such research;

(ii) the quality of the research or training, or both, to be carried out in the facilities involved;

(iii) the congruence of the research activities to be carried out within the facility with the research and investigator manpower needs of the United States; and

(iv) the age and condition of existing research facilities.

(D) The applicant has demonstrated a commitment to enhancing and expanding the research productivity of the applicant.

(2) INSTITUTIONS OF EMERGING EXCELLENCE.—From the amount appropriated under subsection (a), is to be reserved from such amount, for grants under such subsection for a fiscal year that is over $50,000,000, the Director of the Center shall make available additional amounts to institutions of emerging excellence, as described in subsection (a), in view of the overall research needs of the United States; and

(3) EXCLUSION OF CERTAIN COSTS.—In determining the amount of any grant under subsection (a), there shall be excluded from the cost of construction an amount equal to the sum of—

(A) the amount of any other Federal grant that the applicant has obtained, or is assured of obtaining, with respect to construction for which a grant has been awarded under this section;

(B) the amount of any non-Federal funds required to be expended as a condition of such grant or agreement or contract; and

(C) any other Federal grant that the applicant is carrying out activities with respect to protecting the health status of such population includes a significant number of individuals with health status deficit, and the applicant is carrying out activities with respect to protecting the health status of such population.

(H) REPORT TO CONGRESS.—The Director of the Center shall prepare and submit to the appropriate committees of Congress a biennial report concerning the status of the biomedical and behavioral research facilities and the availability and condition of technologically sophisticated laboratory equipment in the United States. Such reports shall be developed in concert with the report prepared by the National Science Foundation on the needs of research facilities of universities as required under section 108 of the National Science Foundation Authorization Act for Fiscal Year 2001, and such summary report shall be submitted to the Director of the Center, either on the approval of an amendment of the application or on the revision of the estimated cost of construction of the facility.

(i) Authorization of Appropriations.—For the purpose of carrying out this section, there are authorized to be appropriated for fiscal years 2002 and 2003—

(A) $250,000,000 for the fiscal year 2002; and

(B) $250,000,000 for the fiscal year 2003.
AMENDING THE IMMIGRATION AND NATIONALITY ACT

Ms. COLLINS. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 2886, and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2886) to amend the Immigration and Nationality Act to provide that an adopted alien who is less than 18 years of age may be considered a child under such Act if adopted with or after a sibling who is a child under such Act.

There being no objection, the Senate proceeded to consider the bill.

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of H. Con. Res. 239, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows: A concurrent resolution (H. Con. Res. 239) directing the Clerk of the House of Representatives to make a technical correction in the enrollment of the bill H.R. 3314.

Ms. COLLINS. Mr. President, I ask unanimous consent that the resolution be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so agreed.

The concurrent resolution (H. Con. Res. 239) was agreed to.

AMENDING TITLE 18, UNITED STATES CODE

Ms. COLLINS. Mr. President, I now ask unanimous consent that the Senate proceed to the consideration of H.R. 1887, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows: A bill (H.R. 1887) to amend title 18, United States Code, to punish the depiction of animal cruelty.