

STATEMENTS ON INTRODUCED
BILLS AND JOINT RESOLUTIONS

By Mr. CORZINE:

S. 1682. A bill to designate buildings 315, 318, and 319 located at the William J. Hughes Technical Center of the Federal Aviation Administration in Atlantic City, New Jersey, as the "Frank R. Lautenberg Aviation Security Complex"; to the Committee on Commerce, Science, and Transportation.

Mr. CORZINE. Mr. President, today I am introducing legislation to honor one of the finest Senators to represent my State of New Jersey, Frank R. Lautenberg. My bill would designate specific buildings located at the Federal Aviation Administration's William J. Hughes Technical Center in Atlantic City, New Jersey as the "Frank R. Lautenberg Aviation Security Complex."

Designating these buildings as the Frank R. Lautenberg Aviation Security Complex would be an appropriate tribute to Senator Lautenberg. No one has been a greater champion for transportation interests in the United States Senate. Senator Lautenberg consistently made transportation a top priority and served for many years as Chairman of the Transportation Appropriations Subcommittee, as well as serving on the Environment and Public Works Committee. Over the years, he accumulated a long list of related accomplishments.

For example, he authored legislation to ban smoking on all flights within the United States, which provides relief from secondhand smoke to thousands of air travelers annually. He was a staunch defender of Amtrak, successfully led efforts to protect its funding in the face of those who oppose our national passenger rail system, and developed landmark legislation to authorize the issuance of bonds to support high speed rail. He also wrote the law that increases the legal drinking age from 18 to 21, which has been credited with saving countless lives on our nation's highways.

I also would note that Senator Lautenberg played an important role in supporting the Technical Center in Atlantic City, so it is especially appropriate that he be honored at the Center.

Senator Lautenberg always worked hard to steer Federal funds to New Jersey for both road and rail projects, and had considerable success. These projects have been immensely important in easing traffic congestion in New Jersey, our Nation's most densely populated State. As a member of the committees that will reauthorize the transportation bill, the Environment and Public Works and Banking Committees, I hope to continue Senator Lautenberg's legacy in this area. In particular, I am hoping to work for funding of a new commuter rail tunnel across the Hudson River that would

link New Jersey and Midtown Manhattan.

Beyond his many successes in the area of transportation, Frank Lautenberg had many other accomplishments during his 18-year career in the Senate. He authored legislation barring people convicted of domestic violence from owning a gun. He wrote the Right-to-Know Act, which requires companies to disclose the chemicals they produce and store. He wrote the Public and Assisted Housing Drug Elimination Act, which has made a huge difference in improving the lives of residents of public housing. Also, as the Ranking Member of the Senate Budget Committee, he played a major role in debates over fiscal policy, and in the development of the Balanced Budget Act of 1997, which helped lead to our first budget surpluses after a long history of deficits.

Designating these buildings as the Frank R. Lautenberg Aviation Security Complex is a small but important way we can pay tribute to a man who has contributed so much to our State and our Nation. I personally am honored to serve as his successor in the Senate, and I hope that the Congress will act quickly on this important legislation.

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. 1682

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

SECTION 1. DESIGNATION OF FRANK R. LAUTENBERG AVIATION SECURITY COMPLEX.

Buildings 315, 318, and 319 located at the William J. Hughes Technical Center of the Federal Aviation Administration in Atlantic City, New Jersey, shall be known and designated as the "Frank R. Lautenberg Aviation Security Complex".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the buildings referred to in section 1 shall be deemed to be a reference to the Frank R. Lautenberg Aviation Security Complex.

By Mr. HARKIN:

S. 1683. A bill to amend the Emergency Food Assistance Act of 1983 to permit States to use administrative funds to pay costs relating to the processing, transporting, and distributing to eligible recipient agencies of donated wild game; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. HARKIN. Mr. President, since September 11 we have all seen the generous spirit of volunteerism in our communities. Americans have given blood, donated to soup kitchens and clothing drives, all in record numbers. Although this tragedy has heightened the levels of giving, Americans were helping each other through the tough

times long before September 11. I rise today to recognize one type of program that is helping to feed families caught up in the economic downturn.

Take Tim Powers. Tim lives in Lisbon, IA. During the week, he works hard at Whitetails Unlimited. but on the weekends, Tim runs a game donation program. First, Tim negotiates with local butchers for reduced rates on the meat processing. Then, he reaches out to local hunting groups and lets them know they can donate their extra game to Iowa's soup kitchens. It is a great way to help those in need, it's all volunteer, and it makes sense. Similar programs have popped up across America, like Hunters for the Hungry, Farmers and Hunters Feeding the Hungry, and Sportsmen Against Hunger.

Tim Powers and these organizations remind us all that hunting isn't simply a sport. It takes me back to my childhood in Cumming, IA. I was one of six kids and my father was a coal miner, so there were some hard times. Often, hunting helped to decide how well my family would eat. Believe me, that will motivate you to become a good shot. And we hunted just about anything that moved, not just deer but ducks, pheasants, and rabbits.

But when we did have more than enough to feed the family, we shared it with the neighbors. It was the right thing to do. And today, Tim Powers and others are keeping that type of community spirit alive.

These efforts are desperately needed. Buying meat is expensive and food banks are already stretched too thin. In 1997 alone, more than 26 million Americans sought emergency food assistance. And the Department of Agriculture reports that during between 1996 and 1998 approximately 10 million U.S. households did not have access to enough food to meet their basic needs.

Game donation programs can make a difference in the fight against hunger. One of the only problems, however, is the cost of the meat processing. Tim Powers convinced his employer, Whitetails Unlimited, that this program needs their support. Once a year they sponsor a dinner to fundraise for him, last year he raised enough money to process about 50 deer. That is a miracle for the soup kitchens in Linn County and it can happen in other places as well. There are thousands of hunters who would like to do so much more, but the funds for processing always fall short.

Time and again, hunters have shown that we enjoy the activity and we're happy to go out of our way if that activity also serves to provide meat for those who are less fortunate. The only catch is the cost of processing. I hear it again and again, local programs spring up but can't raise enough funds to sustain the cost of processing. With game donation programs in a community everybody wins. The meat goes from

hunters in the area to needy families within the State, there is nothing more basic than a community taking care of its own. We need to do whatever we can to help sustain these local programs.

That is why I am introducing the Hunters Help the Hungry Act. This legislation would authorize states to use administrative funds from the Emergency Food Assistance Program, TEFAP, to pay for the processing costs of donated wild game. TEFAP is a USDA food distribution program through which commodity foods are made available to the States. Food is then provided to food banks, soup kitchens, and food pantries for distribution to the public.

In addition, my legislation would increase the authorization of TEFAP administrative funds from \$50 million to \$70 million. This increase is intended to cover the potential cost of game donation programs in every State, however, the legislation gives States the flexibility to use those funds for their current TEFAP programs, if they so choose.

I want to stress this point: States would not be required to use any of the additional funds for the hunting-donation programs. My bill would simply provide them with the option and the flexibility to use a portion of their TEFAP administrative funds to process donated game. The remainder of the funds would cover traditionally allowable expenses like transportation and storage costs, and gleaning and other activities.

In addition, the USDA Secretary would have the ability to place a cap on the percentage of administrative funds that could be used to process game meat. As always, the TEFAP program will continue to be primarily focused on commodities. My legislation would simply give States the flexibility to support local game donation programs as a part of their anti-hunger efforts.

This legislation is rooted in basic common sense and traditional American values, values that America's hunters understand. Too often our hunters are only mentioned on the Senate floor when it comes time to debate a crime bill. Instead, my legislation thanks America's hunters and supports the good they do in our communities. I think it just makes sense, and I hope that my colleagues will support it.

By Mr. DODD (for himself, Mr. DEWINE, and Ms. COLLINS):

S. 1685. A bill to meet the needs of children when preparing for and responding to acts of terrorism; to the Committee on Health, Education, Labor, and Pensions.

Mr. DODD. Mr. President, I am pleased to join with my colleague from Ohio, Senator DEWINE, and my colleague from Maine, Senator COLLINS, in

introducing legislation today to strengthen our Nation's ability to protect children during times of terrorism and bioterrorism.

It's a terrible thing that we have to be here to talk about how to protect children from terrorism. But, as all of us know only too well, the terrorist incidents of September 11 have changed the world for all of us. In order to ensure that the needs of children are not overlooked as a national terrorism response package is drafted, we are introducing this legislation today specifically geared toward the needs of children. Our bill would: strengthen emergency and rescue services for children; ensure that all needed medicines in the case of bioterrorist attack can be safely used for children; ensure that the mental health needs of children directly affected by terrorist and bioterrorist attacks are addressed; and, enable the Secretary of HHS to determine and respond to other unique needs that children may have related to terrorism.

Shockingly, not all ambulances, hospitals and emergency personnel are prepared to handle children's emergencies, let alone emergencies related to terrorism. In fact, fewer than half of all hospitals with emergency departments have the equipment necessary to stabilize seriously injured children.

Our bill will expand the Emergency Medical Services for Children Grant Program administered by the Department of Health and Human Services. Those first on the ground need to be prepared to deal with the specific needs of children in any type of terrorist or bioterrorist attack.

Children are especially vulnerable to the chemical and biological agents that could be deployed in a terrorist attack. Nerve gas agents, such as Sarin gas for example, are denser than water and concentrate lower to the ground, in the breathing zone of children. And the more permeable skin of newborns and children puts them at risk of greater exposure to toxins that may be absorbed.

It is crucial to secure information on dosage, possible side effects and the effectiveness of various agents in our children. Just a few weeks ago, the Senate unanimously passed the reauthorization of a law I authored with Senator DEWINE to address the appalling lack of pediatric information about the drugs we used for our kids. The law, which has been an unparalleled success, provides a market incentive for drug companies to test their products for use in kids and to create kid-friendly drug formulations.

Our re-authorization of this law will ensure that all approved drugs that are identified as important for children will get studied, either by the manufacturer or by a third party with pediatric clinical expertise. These third party studies will be paid for using private

dollars from an NIH Foundation or using the \$20 million authorized in the bill for this purpose.

Today, we are asking the Secretary to do the same for medicines that can be used to protect our kids in a bioterrorist attack. Our proposal authorizes funding to ensure that the products that are important for children will get studied by manufacturers and by qualified third parties to determine how a child's body breaks down and absorbs the medicine, potential risks, and effectiveness.

Without adequate information about how a drug works in kids of different ages and sizes, children are more likely to be under- or over-dosed or to experience dangerous side effects. By instructing the Secretary to contract our needed studies, we can ensure that we get vital information on the medicines needed most for our kids.

Since September 11 our children have been faced with images and emotions that are difficult for them to understand and deal with. They have seen airplanes crashing into places where people work, they have seen people fleeing from collapsing buildings, they have family members searching and grieving for missing loved ones, they have heard about people being poisoned and dying from the mail. All of this is beyond belief. These are very complicated and stressful times for all of us, but especially for children.

Children sense the anxiety and tension in adults around them. And, like adults, children experience the same feelings of helplessness and lack of control that disaster-related stress can bring about. Unlike adults, however, children have little experience to help them place their current situation into perspective.

Our proposal authorizes the Secretary of Health and Human Services to provide immediate emergency mental health and substance abuse prevention and treatment services to those children residing in communities directly affected by terrorism. This new authority will double the amount of emergency funding for mental health services and ensure that children's mental health needs are specifically addressed. This new initiative will provide approximately \$17.5 million in emergency funds for children's mental health services.

To deal with other unique needs of children, we provide the Secretary of Health and Human Services with broad authority to allocate emergency crisis response grants. Such grants could be made at the Secretary's discretion to schools, child care centers, Head Start centers, or other entities dealing with children to assist in developing evacuation plans, in training personnel to understand children's needs related to terrorism, and how to communicate effectively with children and parents about terrorism. Millions of children

spend more than half their waking hours with teachers and other caregivers. These professionals must be able to understand what children are going through and be prepared to help them get through it. As we've seen over the last few weeks, in practice, this is not always as easy to do as it sounds.

The President has asked that all Americans get back to normal. It is our responsibility to provide our children affected by these tragic events with the best tools and resources to get back to normal.

I ask unanimous consent that a summary of our legislation and the text of the bill be printed in the RECORD.

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

S. 1685

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 "Kids and Terrorism Preparedness Act".

SEC. 2. EMERGENCY MEDICAL AND RESCUE SERVICES FOR CHILDREN.

(a) IN GENERAL.—Section 1910(a) of the Public Health Service Act (42 U.S.C. 300w-9(a)) is amended—

(1) by striking "may make grants to States or accredited schools of medicine in States to support a program of demonstration projects for the expansion and improvement of emergency medical services for children" and inserting "may make grants to, or enter into contracts with, States, local government entities, Indian tribes, accredited schools of medicine, and nonprofit children's hospitals to improve emergency medical services for children who need treatment for trauma or critical care";

(2) by inserting before the first period the following: "including injury prevention activities and data collection";

(3) by striking "3-year" and inserting "4-year"; and

(4) by striking "4th" and inserting "5th".

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$45,000,000 to carry out section 1910 of the Public Health Service Act (42 U.S.C. 300w-9).

SEC. 3. APPROPRIATE MEDICINES FOR CHILDREN IN THE FACE OF BIOTERRORISM.

(a) MEETINGS.—The Secretary of Health and Human Services, in consultation with Commissioner of the Food and Drug Administration, the Director of the National Institutes of Health, and the heads of other appropriate Federal entities, shall convene meetings with drug manufacturers, biotechnology manufacturers, and medical device manufacturers to formulate a plan for the development of new, and enhancement of existing, countermeasures (including diagnostics, drugs, vaccines, biologics, and medical devices) that may be appropriate to prevent and treat children who are exposed to biological agents and chemical, radiological, or nuclear toxins.

(b) NOTICE OF PRODUCTS AND REFERRALS.—The Secretary of Health and Human Services shall give public notice of the products (including diagnostics, drugs, vaccines, biologics, and medical devices) that should be studied with respect to children, in response to bioterrorist threats.

(c) CONTRACTS, GRANTS, AND COOPERATIVE AGREEMENTS.—The Secretary of Health and Human Services shall award contracts, grants, or cooperative agreements to manufacturers described in subsection (a), and other entities with the appropriate capacity and expertise, to conduct needed studies relating to children.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section for fiscal year 2002.

SEC. 4. CHILDREN'S MENTAL HEALTH.

Section 501(m) of the Public Health Service Act (42 U.S.C. 290aa(m)) is amended—

(1) in paragraph (1)—

(A) by striking "2.5 percent" and inserting "5 percent"; and

(B) by striking "paragraph (2)" and inserting "paragraphs (2) and (3)";

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(3) by inserting after paragraph (1), the following:

"(2) CONDITION.—A condition of paragraph (1) is that 2.5 percent of the funds subject to paragraph (1) may only be available for the provision of emergency mental health and substance abuse treatment and prevention services to children who are directly affected by terrorist acts."

SEC. 5. CRISIS RESPONSE GRANTS TO ADDRESS CHILDREN'S NEEDS.

Title III of the Public Health Service Act is amended by inserting after section 319G (42 U.S.C. 247d-7) the following:

"SEC. 319H. CRISIS RESPONSE GRANTS TO ADDRESS CHILDREN'S NEEDS.

"(a) IN GENERAL.—The Secretary may award grants to eligible entities described in subsection (b) to enable such entities to increase the coordination and development of bioterrorism preparedness efforts relating to the needs of children.

"(b) ELIGIBILITY.—To be an eligible entity under this subsection, an entity shall—

"(1) be a State, political subdivision of a State, a consortium of 2 or more States or political subdivisions of States, a public or private non-profit agency or organization, or other organization that serves children as determined appropriate by the Secretary; and

"(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

"(c) USE OF FUNDS.—An entity shall use amounts received under a grant under this section to carry out activities for the coordination and development of bioterrorism preparedness efforts relating to the physical and health-related needs of children.

"(d) FUNDING.—The Secretary may use amounts appropriated under the 2001 Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States (Public Law 107-38) to carry out this section."

KIDS AND TERRORISM PREPAREDNESS ACT OF 2001—SUMMARY

As America prepares to gird itself against terrorist threats, our children's parents, teachers, caretakers, and emergency response personnel must be given new tools and instruments to protect them. For example, they must be trained in emergency response and evacuation plans developed by local authorities to protect children during times of terrorist threats or incidents. Children must have appropriate medicines in the appropriate dosages to help protect them from chemical and biological agents that

might be deployed in a terrorist attack. They must also have access to mental health services to address the emotional trauma that can accompany acts of terrorism.

EMERGENCY MEDICAL AND RESCUE SERVICES FOR CHILDREN

Increases federal support for EMS training to ensure that first responders (i.e., firefighters, police, paramedics, etc.) are trained and equipped to address the specific medical needs of children.

More than doubles the resources available through the Department of Health and Human Services Emergency Medical Services for Children program from \$18.9 million per year to \$45 million.

APPROPRIATE MEDICINES FOR CHILDREN IN THE FACE OF BIOTERRORISM

Authorizes funds to enable the Secretary of HHS, in consultation with the FDA, NIH, and the pharmaceutical, biotech, and device industries, to ensure that every medicine identified for potential use for kids in responding to bioterrorism can be studied to determine proper pediatric dosing and effectiveness. This is critical because children are simply not smaller versions of adults—their bodies react to drugs differently. Without adequate information about how a drug works in kids of different ages and sizes, they are more likely to be under- or overdosed or to experience dangerous side effects.

CHILDREN'S MENTAL HEALTH

Establishes grants for Emergency Mental Health Services for Children that would ensure that children directly affected by terrorist acts would be able to receive a comprehensive array of community-based mental health services. With these grants, communities could develop integrated systems of care that coordinate services among multiple child-serving agencies in incorporating parental involvement at every stage of service delivery. These grants would be administered by the Center for Mental Health Services (CMHS), housed within the Substance Abuse and Mental Health Services Administration (SAMHSA). The Emergency Mental Health Services for Children grants would be funded at about \$17.5 million per year—up to 2.5 percent of total SAMHSA appropriations.

CRISIS RESPONSE GRANTS ADDRESSING CHILDREN'S NEEDS

The Secretary may provide grants to eligible entities to increase the coordination and the development of bioterrorism preparedness efforts relating to the needs of children. Such grants would be provided at the discretion of the Secretary using information the Secretary identifies as being critical to meeting the physical and health-related needs of children. The Secretary may use funds from emergency appropriations made available earlier this year.

Mr. DEWINE. Mr. President, I rise today to join my friends and colleagues, Senator DODD and Senator COLLINS, to introduce the "Kids and Terrorism Preparedness Act." I want to thank Senators DODD and COLLINS, for their commitment and dedication to protecting America's children. They are two of this Nation's strongest advocates on behalf of kids, and I have enjoyed working together with them on a variety of children's health and safety issues.

Most recently, just a few short weeks ago, Senator DODD and I were able to pass our Best Pharmaceuticals for

Children Act, which is going to help make sure that children get the right kinds of medicines when they are sick and in the proper dosages.

As the father of eight and grandfather of six, I can tell you from firsthand experience that we can not treat children the same way we treat adults. This is true for prescribing medicines to protect children when they are sick. And, it is also true in implementing measures to protect our nation against terrorism, especially chemical and biological terrorism.

This is why it is so important that as we begin to re-assess how we respond to terrorist attacks, we think long and hard about the differences between adults and children. The bill we are introducing today goes a long way toward ensuring that the needs of kids are taken into consideration. It goes a long way toward making sure that those who respond to terrorist attacks are prepared to treat and deal with children and their unique needs.

We have to realize that children simply are not small adults. For example, children breathe faster than adults, which means they will inhale poisons and chemicals more quickly than adults.

Children lose body heat faster than adults and so if a child needed a decontamination shower as a result of a chemical attack, firefighters and emergency crews will need to take special precautions for children, like setting up heat lamps to keep them warm so they do not go into shock. It also means providing those kids with a safe, comfortable environment to ease their fears.

Children often can not swallow pills. We need to make sure that we have antibiotics or other medicines that are in forms, like liquids, that children can take.

And obviously, children are physically smaller than adults, they are lower to the ground, which can put them in the direct path of some agents, like chlorine or sarin gas, both of which are heavier than air and settle lower to the ground where children would be breathing.

I have talked to firefighters and pediatricians in Ohio, who have told me that they simply are under-prepared right now to treat children's needs. The reality is that today fewer than half of our Nation's hospitals with emergency departments have the necessary equipment to treat sick and injured kids. We need to change that, and soon.

The bill we are introducing today will help change things. First, our bill would increase the funding of the Emergency Medical Services for Children block grant from \$17 million to \$45 million. By doing so, we are helping the first responders, those at the local level, get the training they need to meet the special needs of children.

Furthermore, our bill gives the Secretary of the Department of Health and Human Services, HHS, the flexibility to provide \$17.5 million in grants to eligible entities to address children's mental health needs and provide substance abuse prevention and treatment options for children in the event of a terrorist emergency.

The bill also allows the Secretary of HHS to provide grants to eligible entities to enable such entities to increase the coordination and the development of bio-terrorism preparedness efforts relating to the needs of special populations, including children. Such grants are provided at the discretion of the secretary using information the secretary identifies as being critical to meeting the physical and health-related needs of children.

In conclusion, children represent a huge portion, 30 percent, almost one-third, of our Nation's population. We have an obligation to protect them. And, our bill today, is a step toward doing just that. I urge my colleagues to join us in support of this legislative effort. It is a good bill and one that can make very real, very positive differences in the lives of America's children.

Ms. COLLINS. Mr. President, I am pleased to join with my colleagues, Senator DODD and Senator DEWINE in introducing the Kids and Terrorism Preparedness Act to strengthen our ability to protect our children as our Nation prepares for and responds to acts of terrorism.

Every generation has a defining event. Our parents will never forget the attack on Pearl Harbor, and the baby boomers will never forget the day President Kennedy was shot. This generation will always remember September 11 and the horrific images of the two airliners slamming into the twin towers of the World Trade Center.

These terrorist attacks have evolved into an ongoing crisis that has created some particularly difficult challenges for our Nation's children. Thousands of children lost a family member or loved one on September 11. Tens of thousands more are close to another child who suffered an immediate loss. Millions of other children across the country watched the repeated broadcasts of the fiery crashes, workers falling to their deaths, the terrible building collapses and the panic that followed. These images have enacted an emotional and psychological toll on all Americans, but children are particularly vulnerable. Moreover, the current anthrax scare has only added to the anxiety of children who now fear that their own homes may not be a sanctuary against a bioterrorist attack delivered through the mail.

As our Nation takes steps to plan and prepare for future attacks, it is critical that we consider the unique needs of children who are more susceptible to

biological and chemical attacks. Since they are smaller than adults, they may get sick from smaller amounts of harmful substances. They have a higher respiratory rate than adults, which means that they would get relatively larger doses of an inhaled substance in the same period of time. Moreover, some dense chemical agents, like chlorine and sarin, accumulate close to the ground, right in the breathing zone of children.

The problem is compounded because our current tools to combat terrorism are now always sensitive to children's needs. For example, Cipro, which is being widely prescribed for people who have been exposed to anthrax, is generally not recommended for use by children because of concerns that it can impair bone and joint growth. It is clear that immediate steps must be taken to develop drugs and vaccines appropriate for children that can be used to respond to a bioterrorist threat or attack.

Children also need different sized medical equipment from adults. I am therefore extremely troubled that, at present, many ambulances and emergency departments do not have child-sized equipment and supplies, such as oxygen masks, IV-tubes and neck braces. We must therefore do more to support our Emergency Medical Services workers and ensure that they are trained and equipped to meet the specific medical needs of children.

The legislation we are introducing today will help us to meet these special needs of children as our nation prepares to defend itself against terrorist threats. For example, it more than doubles the resources available through the Department of Health and Human Services Emergency Medical Services for Children program to ensure that first responders, our firefighters, our police, and our paramedics, are trained and equipped to handle the special medical needs of children.

It also authorizes grants to enable the Secretary of Health and Human Services, in consultation with the Food and Drug Administration, the National Institutes of Health, and the pharmaceutical, biotech, and device industries, to formulate a plan for the development of new, and enhancement of existing, drugs, vaccines, diagnostics, and medical devices that may be appropriate to prevent and treat children who are exposed to a bioterrorist attack. This is critical because children are not simply smaller versions of adults, their bodies react to drugs differently.

To help meet the mental health needs of children in crisis, the legislation authorizes grants to be administered by the Center for Mental Health Services within the Substance Abuse and Mental Health Services Administration for emergency mental health

prevention and treatment services for children who are directly affected by terrorist acts. To deal with other unique needs of children, our bill provides the Secretary of Health and Human Services with broad authority to allocate emergency crisis response grants. Such grants could be made at the Secretary's discretion to State and local governments or public or private non-profit organizations serving children to increase the coordination and the development of bioterrorism preparedness efforts relating to the needs of children.

These are difficult and dangerous times, but all is not bleak. We can take great comfort from the extraordinary resources with which America is blessed. Besides our spiritual muscle, we have a proof of economic, scientific, and material strength which we have only just begun to tap. The legislation we are introducing today will help to strengthen our response to the terrorist threat by ensuring that the special needs of children are not overlooked, and I urge all of my colleagues to join us as cosponsors.

By Mr. KENNEDY (for himself, Mr. KERRY, Mr. REID, Mr. WELLSTONE, and Mrs. CLINTON):

S. 1686. A bill to amend title XVIII of the Social Security Act to provide for patient protection by limiting the number of mandatory overtime hours a nurse may be required to work in certain providers of services to which payments are made under the Medicare Program; to the Committee on Finance.

Mr. KENNEDY. Mr. President, it is a privilege to join my colleagues, Senator KERRY, Senator REID, Senator WELLSTONE, and Senator CLINTON, in introducing the Safe Nursing and Patient Care Act.

Current Federal safety standards limit work hours for pilots, flight attendants, truck drivers, railroad engineers and other professionals, in order to protect the public safety. However, no similar limitation currently exists for the Nation's nurses, who care for many of our most vulnerable Americans.

The Safe Nursing and Patient Care Act will limit mandatory overtime for nurses in order to protect patient safety and improve working conditions for nurses. Across the country, the widespread practice of mandatory overtime means that over-worked nurses are often required to provide care in circumstances that are unacceptable. Restricting mandatory overtime will ensure that nurses are ready and able to provide the highest quality of care to their patients.

As Linda McMahon, an emergency room nurse at Brockton Hospital in Massachusetts said, "After no supper break, no time to go to the bathroom, you're on your feet for a solid 8½

hours, and then they look at you and say you're going to work for another shift."

Some hospitals are taking action to deal with this serious problem. Brockton Hospital in Brockton, MA, and St. Vincent Hospital in Worcester, MA both recently agreed to limit mandatory overtime as part of negotiations following successful strikes by nurses. These limits will protect patients and improve working conditions for nurses, and they will also have a significant role in the recruitment and retention of nurses in the future.

Job dissatisfaction and overtime hours are major factors in the current shortage of nurses. Nationally, the shortfall is expected to rise to 20 percent in the coming years. The goal of the Safe Nursing and Patient Care Act will play an important role in improving the quality of life for nurses, so that more persons will enter the nursing profession and remain in it.

The bill limits mandatory overtime to declared states of emergency. Clearly, there are times when other options are exhausted and hospitals need additional help, and the bill takes account of such needs. The bill requires health providers to inform nurses of these new rights, and nurses who report violations are guaranteed protection from workplace discrimination. In addition, the bill requires the Agency for Health Care Research and Quality to report to Congress on appropriate standards for the maximum numbers of hours a nurse may work in a wide variety of health settings without compromising patient care.

Improving working conditions for nurses is an essential part of our ongoing effort to reduce medical errors, improve patient outcomes, and encourage more Americans to become and remain nurses. The power of providers to force nurses to work beyond what is safe for themselves and their patients is one of the major disincentives to pursuing or continuing a career in nursing. The Safe Nursing and Patient Care Act is a significant step that Congress can take to support the Nation's nurses and I urge my colleagues to support it.

By Mr. WELLSTONE (for himself, Mr. DAYTON, and Mr. HARKIN):

S. 1704. A bill to amend the Clayton Act to make the antitrust laws applicable to the elimination or relocation of major league baseball franchises; to the Committee on the Judiciary.

Mr. WELLSTONE. Mr. President, today, along with Senators DAYTON and HARKIN, I am introducing the "Fairness in Antitrust in National Sports, FANS, Act of 2001." The goal of this important legislation is to limit major league baseball's antitrust exemption as it relates to decisions to eliminate or relocate a major league baseball team.

This is an important piece of legislation, made necessary by major league baseball owners' unfortunate decision last week to eliminate two teams, with the prospect of at least two more eliminations to come. I am pleased to say that Representative JOHN CONYERS, along with a number of other Members, including the entire Minnesota delegation, will be introducing an identical measure in the House today as well.

I have said on other occasions that I think this so-called "contraction" decision by major league baseball is a betrayal by owners who have put their own profits before loyalty to fans and their communities.

I know that there are a number of efforts to respond to this decision by the owners. The bill we are introducing today is but one of those. I expect the bill to be referred to the Judiciary Committees in the House and Senate and our hope is that the Committees in both Houses will be able to organize prompt hearings.

Our country has tremendously urgent priorities. We have the war in Afghanistan, the war against terrorism, and our urgent need for economic stimulus legislation to keep our nation from plummeting even further into recession. Unfortunately, however, major league baseball owners did not give us a choice on timing. They have picked a particularly inauspicious time to announce their unilateral, short-sighted and self-serving decision, so we must respond. Because they have further announced their intention to name in the near future the particular teams they plan to eliminate, we have no choice but to urge quick consideration of this legislation.

As I noted, the bill would limit baseball's antitrust exemption as it relates to decisions to eliminate or relocate a major league baseball team. The legislation subjects the owners to the antitrust laws when they unilaterally decide to eliminate or relocate a team.

In all other respects, the bill tracks the Curt Flood Act of 1997, which repealed the antitrust laws as they apply to the employment of major league baseball players. As with the Curt Flood Act, the bill is carefully crafted to ensure that it does not limit any prerogatives of the minor leagues.

We proceed from a pragmatic desire to achieve a broad base of support in Congress. With the help of the Administration, we could push this measure forward.

As Senator DAYTON and I noted last week in a letter to the President, achieving Congressional action on this legislation will be exceedingly difficult in view of other urgent legislative issues facing Congress and the Administration. We will need the President to weigh in on this and I once again call on him to do so.

Mr. President, we must act to hold major league baseball owners accountable for their decisions. I urge my colleagues to join us in co-sponsoring this measure.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2122. Mr. THOMAS submitted an amendment intended to be proposed by him to the bill H.R. 3090, to provide tax incentives for economic recovery; which was ordered to lie on the table.

SA 2123. Mr. THOMAS submitted an amendment intended to be proposed by him to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2124. Mr. CRAIG submitted an amendment intended to be proposed by him to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2125. Mr. BAUCUS proposed an amendment to the bill H.R. 3090, supra.

SA 2126. Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2127. Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2128. Mrs. LINCOLN submitted an amendment intended to be proposed by her to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2129. Mrs. LINCOLN submitted an amendment intended to be proposed by her to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2130. Mrs. LINCOLN submitted an amendment intended to be proposed by her to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2131. Mrs. LINCOLN submitted an amendment intended to be proposed by her to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2132. Mr. SMITH of Oregon submitted an amendment intended to be proposed by him to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2133. Mr. SMITH of Oregon submitted an amendment intended to be proposed by him to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2134. Mr. SMITH of Oregon submitted an amendment intended to be proposed by him to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2135. Mr. SMITH of New Hampshire (for himself, Mr. INHOFE, and Mr. THOMAS) submitted an amendment intended to be proposed by him to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2136. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2137. Mr. SPECTER (for himself and Mr. SANTORUM) submitted an amendment intended to be proposed by him to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2138. Mr. GRAHAM (for himself, Mrs. LINCOLN, and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2139. Mr. GRAHAM (for himself and Mr. TORRICELLI) submitted an amendment intended to be proposed by him to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2140. Mr. KERRY (for himself, Mr. LIEBERMAN, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2141. Ms. COLLINS (for herself and Mr. WARNER) submitted an amendment intended to be proposed by her to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2142. Mr. SMITH of New Hampshire (for himself and Mr. JEFFORDS) submitted an amendment intended to be proposed by him to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2143. Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2144. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2145. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2146. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2147. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill H.R. 3090, supra; which was ordered to lie on the table.

SA 2148. Mr. JEFFORDS (for himself and Mr. SMITH of New Hampshire) submitted an amendment intended to be proposed by him to the bill H.R. 3090, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2122. Mr. THOMAS submitted an amendment intended to be proposed by him to the bill H.R. 3090, to provide tax incentives for economic recovery; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . MODIFICATIONS TO SMALL ISSUE BOND PROVISIONS.

(a) INCREASE IN AMOUNT OF QUALIFIED SMALL ISSUE BONDS PERMITTED FOR FACILITIES TO BE USED BY RELATED PRINCIPAL USERS.—

(1) IN GENERAL.—Clause (i) of section 144(a)(4)(A) (relating to \$10,000,000 limit in certain cases) is amended by striking "\$10,000,000" and inserting "\$20,000,000".

(2) COST-OF-LIVING ADJUSTMENT.—Section 144(a)(4) is amended by adding at the end the following:

“(G) COST-OF-LIVING ADJUSTMENT.—In the case of a taxable year beginning in a calendar year after 2002, the \$20,000,000 amount under subparagraph (A) shall be increased by an amount equal to—

“(i) such dollar amount, multiplied by

“(ii) the cost-of-living adjustment under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting ‘calendar year 2001’ for ‘calendar year 1992’ in subparagraph (B) thereof.”

(3) CLERICAL AMENDMENT.—The heading of paragraph (4) of section 144(a) is amended by striking “\$10,000,000” and inserting “\$20,000,000”.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply to—

(A) obligations issued after the date of the enactment of this Act, and

(B) capital expenditures made after such date with respect to obligations issued on or before such date.

(b) DEFINITION OF MANUFACTURING FACILITY.—

(1) IN GENERAL.—Section 144(a)(12)(C) (relating to definition of manufacturing facility) is amended to read as follows:

“(C) MANUFACTURING FACILITY.—For purposes of this paragraph, the term ‘manufacturing facility’ means any facility which is used in—

“(i) the manufacturing or production of tangible personal property (including the processing resulting in a change in the condition of such property),

“(ii) the manufacturing, development, or production of specifically developed software products or processes if—

“(I) it takes more than 6 months to develop or produce such products,

“(II) the development or production could not with due diligence be reasonably expected to occur in less than 6 months, and

“(III) the software product or process comprises programs, routines, and attendant documentation developed and maintained for use in computer and telecommunications technology, or

“(iii) the manufacturing, development, or production of specially developed biobased or bioenergy products or processes if—

“(I) it takes more than 6 months to develop or produce,

“(II) the development or production could not with due diligence be reasonably expected to occur in less than 6 months, and

“(III) the biobased or bioenergy product or process comprises products, processes, programs, routines, and attendant documentation developed and maintained for the utilization of biological materials in commercial or industrial products, for the utilization of renewable domestic agricultural or forestry materials in commercial or industrial products, or for the utilization of biomass materials.

“(D) RELATED FACILITIES.—For purposes of subparagraph (C), the term ‘manufacturing facility’ includes a facility which is directly and functionally related to a manufacturing facility (determined without regard to subparagraph (C)) if—

“(i) such facility, including an office facility and a research and development facility, is located on the same site as the manufacturing facility, and

“(ii) not more than 40 percent of the net proceeds of the issue are used to provide such facility,

but shall not include a facility used solely for research and development activities.”

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to obligations issued after the date of the enactment of this Act.

SA 2123. Mr. THOMAS submitted an amendment intended to be proposed by him to the bill H.R. 3090, to provide tax incentives for economic recovery; which was ordered to lie on the table; as follows:

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

SEC. 9 ____ . FEDERAL-AID HIGHWAY PROGRAMS.

(a) INCREASE IN OBLIGATION AUTHORITY.—

(1) IN GENERAL.—In addition to any obligation authority provided by any other law enacted before, on, or after the date of enactment of this Act, \$5,000,000,000 in obligation authority shall be made available for fiscal year 2002 for obligation of funds apportioned under section 104(b) of title 23, United States Code.