

more thorough knowledge about what they will receive in the settlement compared to what the attorney would receive, and will provide the court a mechanism for receiving comments from the class about the proposed settlement terms before rejecting or approving the agreement.

The third reform would require a regular, continuing disclosure as to how many members of the class are participating in the settlement. One of the dirty secrets of coupon settlements is that the benefits to the class are often of such minimal value that the class members do not even bother to take the steps necessary to receive the benefit, making the high fees received by the attorneys even more outrageous. Some settlements even offer cash recoveries to class members that are so minimal that it is not worth their time to recover the funds. The required disclosure will be via Internet so that the public and legal researchers can access the information, and also will be mailed directly to the class members for their information and use.

The final reform is that Congress will authorize a report by the Judicial Conference of the United States on ways to correct a particular abuse by class action lawyers in which they use polling surveys of the class to determine how many class members would utilize the settlement, and then submit it to the court as evidence for determining an appropriate fee. Courts have indeed used these tools to determine fees, however, the polling numbers regularly overestimate class utilization of the settlements by a wide margin, leading to inflated fee awards for class attorneys. My legislation directs the Conference to make recommendations to ensure that attorneys receive fees that are commensurate with the degree that the lawsuit benefits the class. The Judicial Conference is also directed to make recommendations affecting the broader topic of ensuring that proposed class action settlements are fair to the class members for whom the settlements are supposed to benefit.

My legislation will expose the trial bar to greater scrutiny in lawsuits that are filed primarily to line their own pockets, give class members greater rights in assessing the settlement offers, and set in motion other reforms that will put attorneys fees in line with the benefit they bring to the class. This is a true consumers' rights bill that will cut down on the abuses by the trial bar and shed more light on who is actually being benefited by these lawsuits. I urge all of my colleagues to join me in supporting this commonsense reform.●

Mr. CONRAD:

S. 3125. A bill to amend the Public Health Service Act, the Internal Revenue Code of 1986, and title XVIII of the Social Security Act to sustain access to vital emergency medical services in rural areas; to the Committee on Finance.

SUSTAINING ACCESS TO VITAL EMERGENCY
MEDICAL SERVICES ACT OF 2000

Mr. CONRAD. Mr. President, today I am introducing the Sustaining Access to Vital Emergency Medical Services (EMS) Act of 2000. This bill would take important steps to strengthen the emergency medical service system in rural communities and across the nation.

Across America, emergency medical care reduces human suffering and saves lives. According to recent statistics, the average U.S. citizen will require the services of an ambulance at least twice during his or her life. As my colleagues surely know, delays in receiving care can mean the difference between illness and permanent injury, between life and death. In rural communities that often lack access to local health care services, the need for reliable EMS is particularly crucial.

Over the next few decades, the need for quality emergency medical care in rural areas is projected to increase as the elderly population in these communities continues to rise. Unfortunately, while the need for effective EMS systems may increase, we have seen the number of individuals able to provide these services decline. Nationwide, the majority of emergency medical personnel are unpaid volunteers. As rural economies continue to suffer, and individuals have less and less time to devote to volunteering, it has become increasingly difficult for rural EMS squads to recruit and retain personnel. In my state of North Dakota, this phenomenon has resulted in a sharp reduction in EMS squad size. In 1980, on average there were 35 members per EMS squad; today, the average squad size has plummeted to 12 individuals per unit. I am concerned that continued reductions in EMS squad size could jeopardize rural residents' access to needed medical services.

For this reason, the legislation I introduce today includes two components to help communities recruit, retain, and train EMS providers. First, this proposal would establish a Rural Emergency Medical Services Training and Equipment Assistance program. This program would authorize \$50 million in grant funding for fiscal years 2001-2006, which could be used by rural EMS squads to meet various personnel needs. For example, this funding could help cover the costs of training volunteers in emergency response, injury prevention, and safety awareness; volunteers could also access this funding to help meet the costs of obtaining State emergency medical certification. In addition, EMS squads would be offered the flexibility to use grant funding to acquire new equipment, such as cardiac defibrillators. This is particularly important for rural squads that have difficulty affording state-of-the-art equipment that is needed for stabilizing patients during long travel times between the rural accident site and the nearest urban medical facility. This grant funding could also be used to pro-

vide community education training in CPR, first aid or other emergency medical needs.

Second, the Sustaining Access to Vital Emergency Medical Services Act would help individuals meet the costs of providing services by offering all volunteer emergency medical personnel a \$500 income tax credit. Volunteers could use this credit to cover some of the incidental expenses incurred in providing services, such as purchasing gasoline for the vehicles they use to respond to emergencies or to buy medical gear like safety gloves and clothing. It is my hope that this tax credit would provide an incentive for unpaid EMS volunteers to continue providing services and for new volunteers to join rural emergency medical squads.

In addition to the provisions I have just described, this legislation also includes two other measures that would provide additional resources to EMS squads. The Balanced Budget Act (BBA) of 1997 reduced inflationary update payments to ambulance providers through 2002. This means that during this time frame, ambulance providers have not been given adequate resources to keep up with increasing service demands. To ensure ambulance providers receive appropriate resources, this legislation would eliminate the BBA market basket reductions and would instead provide a full inflationary update over the next two years. Also, this bill would provide an extra one percentage point increase in fiscal year 2001 to all EMS providers.

In addition, this proposal takes steps to fix the shortcomings of the newly implemented Medicare ambulance fee schedule. The negotiated rulemaking committee that developed the fee schedule voiced concern that the payment system does not adequately account for the costs of providing emergency care to low-volume rural areas. In response to this concern, the Committee included an add-on payment for services provided to rural areas. While this payment adjustment is a step in the right direction, we must go further in identifying low-volume areas and ensuring EMS providers are paid appropriately for serving these communities. This proposal would direct the Department of Health and Human Services (HHS) to conduct a study and provide recommendations to Congress on options for providing more appropriate payments to the nation's rural EMS providers. In conjunction with providing these recommendations, HHS would be required to implement any appropriate reimbursement changes by January 1, 2002.

It is my hope that the Sustaining Access to Vital Emergency (SAVE) Medical Services Act will help ensure EMS providers can continue providing quality medical care to our communities. I urge my colleagues to support this important effort.

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

S. 3126. A bill to amend the Foreign Assistance Act of 1961 to revise and improve provisions relating to famine prevention and freedom from hunger; to the Committee on Foreign Relations.

FAMINE PREVENTION AND FREEDOM FROM HUNGER IMPROVEMENT ACT OF 2000

• Mr. HAGEL. Mr. President, today I am introducing a bill to amend title XII of the Foreign Assistance Act of 1961. Title XII describes the relationship between American universities and the United States Agency for International Development (USAID), with respect to USAID's international agriculture development programs. I am pleased to be joined in introducing this bill by my distinguished colleague from Delaware, Senator BIDEN.

This bill revitalizes the relationship between our universities, their public and private partners, and USAID. It reflects the fact that agriculture development work has changed dramatically in the past few years. For example, universities have long been important partners in the United States' efforts to promote agricultural development and decrease world hunger, but universities are no longer ivory towers. They now work with a variety of public and private partners to carry out agriculture-related assistance projects. This bill authorizes universities to utilize such partners when carrying out projects for USAID.

The bill also reflects the fact that agriculture development work increasingly focuses on income generation, rather than simply on household subsistence production. In addition to helping farmers grow enough to feed their immediate families, foreign agricultural assistance should also help farmers market and sell their products, and maximize their household income. This bill recognizes this new focus on income generation as a goal of American foreign agricultural assistance programs.

Lastly, the bill reflects the fact that sustainable development has increased in importance. Environmental and natural resource issues should be considered as part of the big picture in agriculture development.

I ask unanimous consent that the full text of the bill be printed in the RECORD immediately following these remarks.

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

S. 3126

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 "Famine Prevention and Freedom From Hunger Improvement Act of 2000".

SEC. 2. GENERAL PROVISIONS.

(a) DECLARATIONS OF POLICY.—(1) The first sentence of section 296(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(a)) is amended to read as follows: "The Congress declares that, in order to achieve the mutual goals among nations of ensuring food secu-

rity, human health, agricultural growth, trade expansion, and the wise and sustainable use of natural resources, the United States should mobilize the capacities of the United States land-grant universities, other eligible universities, and public and private partners of universities in the United States and other countries, consistent with sections 103 and 103A of this Act, for: (1) global research on problems affecting food, agriculture, forestry, and fisheries; (2) improved human capacity and institutional resource development for the global application of agricultural and related environmental sciences; (3) agricultural development and trade research and extension services in the United States and other countries to support the entry of rural industries into world markets; and (4) providing for the application of agricultural sciences to solving food, health, nutrition, rural income, and environmental problems, especially such problems in low-income, food deficit countries."

(2) The second sentence of section 296(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(a)) is amended—

(A) by redesignating paragraphs (1) through (7) as subparagraphs (A) through (G), respectively;

(B) in subparagraph (A) (as redesignated), by striking "in this country" and inserting "with and through the private sector in this country and to understanding processes of economic development";

(C) in subparagraph (B) (as redesignated), to read as follows:

"(B) that land-grant and other universities in the United States have demonstrated over many years their ability to cooperate with international agencies, educational and research institutions in other countries, the private sector, and nongovernmental organizations worldwide, in expanding global agricultural production, processing, business and trade, to the benefit of aid recipient countries and of the United States";

(D) in subparagraph (C) (as redesignated), to read as follows:

"(C) that, in a world of growing populations with rising expectations, increased food production and improved distribution, storage, and marketing in the developing countries is necessary not only to prevent hunger and ensure human health and child survival, but to build the basis for economic growth and trade, and the social security in which democracy and a market economy can thrive, and moreover, that the greatest potential for increasing world food supplies and incomes to purchase food is in the developing countries where the gap between food need and food supply is the greatest and current incomes are lowest";

(E) by striking subparagraphs (E) and (G) (as redesignated);

(F) by striking "and" at the end of subparagraph (F) (as redesignated);

(G) by redesignating subparagraph (F) as subparagraph (G); and

(H) by inserting after subparagraph (D) the following:

"(E) that, with expanding global markets and increasing imports into many countries, including the United States, food safety and quality, as well as secure supply, have emerged as mutual concerns of all countries;

"(F) that research, teaching, and extension activities, and appropriate institutional and policy development therefore are prime factors in improving agricultural production, food distribution, processing, storage, and marketing abroad (as well as in the United States);";

(I) in subparagraph (G) (as redesignated), by striking "in the United States" and inserting "and the broader economy of the United States"; and

(J) by adding at the end the following:

"(H) that there is a need to responsibly manage the world's natural resources for sustained productivity, health and resilience to climate variability; and

"(I) that universities and public and private partners of universities need a dependable source of funding in order to increase the impact of their own investments and those of their State governments and constituencies, in order to continue and expand their efforts to advance agricultural development in cooperating countries, to translate development into economic growth and trade for the United States and cooperating countries, and to prepare future teachers, researchers, extension specialists, entrepreneurs, managers, and decisionmakers for the world economy."

(b) ADDITIONAL DECLARATIONS OF POLICY.—Section 296(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(b)) is amended to read as follows:

"(b) Accordingly, the Congress declares that, in order to prevent famine and establish freedom from hunger, the following components must be brought together in a coordinated program to increase world food and fiber production, agricultural trade, and responsible management of natural resources, including—

"(1) continued efforts by the international agricultural research centers and other international research entities to provide a global network, including United States universities, for international scientific collaboration on crops, livestock, forests, fisheries, farming resources, and food systems of worldwide importance;

"(2) contract research and the implementation of collaborative research support programs and other research collaboration led by United States universities, and involving research systems in other countries focused on crops, livestock, forests, fisheries, farming resources, and food systems, with benefits to the United States and partner countries;

"(3) broadly disseminating the benefits of global agricultural research and development including increased benefits for United States agriculturally related industries through establishment of development and trade information and service centers, for rural as well as urban communities, through extension, cooperatively with, and supportive of, existing public and private trade and development related organizations;

"(4) facilitation of participation by universities and public and private partners of universities in programs of multilateral banks and agencies which receive United States funds;

"(5) expanding learning opportunities about global agriculture for students, teachers, community leaders, entrepreneurs, and the general public through international internships and exchanges, graduate assistantships, faculty positions, and other means of education and extension through long-term recurring Federal funds matched by State funds; and

"(6) competitive grants through universities to United States agriculturalists and public and private partners of universities from other countries for research, institution and policy development, extension, training, and other programs for global agricultural development, trade, and responsible management of natural resources."

(c) SENSE OF THE CONGRESS.—Section 296(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(c)) is amended—

(1) in paragraph (1), by striking "each component" and inserting "each of the program components described in paragraphs (1) through (6) of subsection (b)";

(2) in paragraph (2)—

(A) by inserting "and public and private partners of universities" after "for the universities"; and

(B) by striking "and" at the end;

(3) in paragraph (3)—

(A) by inserting "and public and private partners of universities" after "such universities";

(B) in subparagraph (A), by striking "and" and inserting a semicolon;

(C) in subparagraph (B), by striking the comma at the end and inserting a semicolon;

(D) by striking the matter following subparagraph (B); and

(E) by adding at the end the following:

"(C) multilateral banks and agencies receiving United States funds;

"(D) development agencies of other countries; and

"(E) United States Government foreign assistance and economic cooperation programs;" and

(4) by adding at the end the following:

"(4) generally engage the United States university community more extensively in the agricultural research, trade, and development initiatives undertaken outside the United States, with the objectives of strengthening its capacity to carry out research, teaching, and extension activities for solving problems in food production, processing, marketing, and consumption in agriculturally developing nations, and for transforming progress in global agricultural research and development into economic growth, trade, and trade benefits for aid recipient countries and United States communities and industries, and for the wise use of natural resources; and

"(5) ensure that all federally funded support to universities and public and private partners of universities relating to the goals of this title is periodically reviewed for its performance."

(d) DEFINITION OF UNIVERSITIES.—Section 296(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(d)) is amended—

(1) by inserting after "sea-grant colleges;" the following: "Native American land-grant colleges as authorized under the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note);"; and

(2) in paragraph (1), by striking "extension" and inserting "extension (including outreach)".

(e) DEFINITION OF ADMINISTRATOR.—Section 296(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(e)) is amended by inserting "United States" before "Agency".

(f) DEFINITION OF PUBLIC AND PRIVATE PARTNERS OF UNIVERSITIES.—Section 296 of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a) is amended by adding at the end the following:

"(f) As used in this title, the term 'public and private partners of universities' includes entities that have cooperative or contractual agreements with universities, which may include formal or informal associations of universities, other education institutions, United States Government and State agencies, private voluntary organizations, nongovernmental organizations, firms operated for profit, nonprofit organizations, multinational banks, and, as designated by the Administrator, any organization, institution, or agency incorporated in other countries."

(g) DEFINITION OF AGRICULTURE.—Section 296 of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a) is amended by adding at the end the following:

"(g) As used in this title, the term 'agriculture' includes the science and practice of activity related to food, feed, and fiber production, processing, marketing, distribution, utilization, and trade, and also includes family and consumer sciences, nutrition, food

science and engineering, agricultural economics and other social sciences, forestry, wildlife, fisheries, aquaculture, floraculture, veterinary medicine, and other environmental and natural resources sciences."

(h) DEFINITION OF AGRICULTURISTS.—Section 296 of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a) is amended by adding at the end the following:

"(h) As used in this title, the term 'agriculturists' includes farmers, herders, and livestock producers, individuals who fish and others employed in cultivating and harvesting food resources from salt and fresh waters, individuals who cultivate trees and shrubs and harvest nontimber forest products, as well as the processors, managers, teachers, extension specialists, researchers, policymakers, and others who are engaged in the food, feed, and fiber system and its relationships to natural resources."

SEC. 3. GENERAL AUTHORITY.

(a) AUTHORIZATION OF ASSISTANCE.—Section 297(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220b(a)) is amended—

(1) in paragraph (1), to read as follows:

"(1) to implement program components through United States universities as authorized by paragraphs (2) through (5) of this subsection;"

(2) in paragraph (3), to read as follows:

"(3) to provide long-term program support for United States university global agricultural and related environmental collaborative research and learning opportunities for students, teachers, extension specialists, researchers, and the general public;" and

(3) in paragraph (4)—

(A) by inserting "United States" before "universities";

(B) by inserting "agricultural" before "research centers"; and

(C) by striking "and the institutions of agriculturally developing nations" and inserting "multilateral banks, the institutions of agriculturally developing nations, and United States and foreign nongovernmental organizations supporting extension and other productivity-enhancing programs".

(b) REQUIREMENTS.—Section 297(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220b(b)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking "universities" and inserting "United States universities with public and private partners of universities"; and

(B) in subparagraph (C)—

(i) by inserting "environment," before "and related"; and

(ii) by striking "farmers and farm families" and inserting "agriculturalists";

(2) in paragraph (2), by inserting "including resources of the private sector," after "Federal or State resources"; and

(3) in paragraph (3), by striking "and the United States Department of Agriculture" and all that follows and inserting "the Department of Agriculture, State agricultural agencies, the Department of Commerce, the Department of the Interior, the Environmental Protection Agency, the Office of the United States Trade Representative, the Food and Drug Administration, other appropriate Federal agencies, and appropriate nongovernmental and business organizations."

(c) FURTHER REQUIREMENTS.—Section 297(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220b(c)) is amended—

(1) in paragraph (2), to read as follows:

"(2) focus primarily on the needs of agricultural producers, rural families, processors, traders, consumers, and natural resources managers;" and

(2) in paragraph (4), to read as follows:

"(4) be carried out within the developing countries and transition countries com-

prising newly emerging democracies and newly liberalized economies; and"

(d) SPECIAL PROGRAMS.—Section 297 of the Foreign Assistance Act of 1961 (22 U.S.C. 2220b) is amended by adding at the end the following new subsection:

"(e) The Administrator shall establish and carry out special programs under this title as part of ongoing programs for child survival, democratization, development of free enterprise, environmental and natural resource management, and other related programs."

SEC. 4. BOARD FOR INTERNATIONAL FOOD AND AGRICULTURAL DEVELOPMENT.

(a) ESTABLISHMENT.—Section 298(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220c(a)) is amended in the third sentence, by inserting at the end before the period the following: "on a case-by-case basis".

(b) GENERAL AREAS OF RESPONSIBILITY OF THE BOARD.—Section 298(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220c(b)) is amended to read as follows:

"(b) The Board's general areas of responsibility shall include participating in the planning, development, and implementation of, initiating recommendations for, and monitoring, the activities described in section 297 of this title."

(c) DUTIES OF THE BOARD.—Section 298(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220c(c)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by striking "increase food production" and all that follows and inserting the following: "improve agricultural production, trade, and natural resource management in developing countries, and with private organizations seeking to increase agricultural production and trade, natural resources management, and household food security in developing and transition countries;" and

(B) in subparagraph (B), by inserting before "sciences" the following: "environmental, and related social";

(2) in paragraph (4), after "Administrator and universities" insert "and their partners";

(3) in paragraph (5), after "universities" insert "and public and private partners of universities";

(4) in paragraph (6), by striking "and" at the end;

(5) in paragraph (7), by striking "in the developing nations," and inserting "and natural resource issues in the developing nations, assuring efficiency in use of Federal resources, including in accordance with the Governmental Performance and Results Act of 1993 (Public Law 103-62; 107 Stat. 285), and the amendments made by that Act"; and

(6) by adding at the end the following:

"(8) developing information exchanges and consulting regularly with nongovernmental organizations, consumer groups, producers, agribusinesses and associations, agricultural cooperatives and commodity groups, State departments of agriculture, State agricultural research and extension agencies, and academic institutions;

"(9) investigating and resolving issues concerning implementation of this title as requested by universities; and

"(10) advising the Administrator on any and all issues as requested."

(d) SUBORDINATE UNITS.—Section 298(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220c(d)) is amended—

(1) in paragraph (1)—

(A) by striking "Research" and insert "Policy";

(B) by striking "administration" and inserting "design"; and

(C) by striking "section 297(a)(3) of this title" and inserting "section 297"; and

(2) in paragraph (2)—

(A) by striking "Joint Committee on Country Programs" and inserting "Joint Operations Committee"; and

(B) by striking "which shall assist" and all that follows and inserting "which shall assist in and advise on the mechanisms and processes for implementation of activities described in section 297.".

SEC. 5. ANNUAL REPORT.

Section 300 of the Foreign Assistance Act of 1961 (22 U.S.C. 2220e) is amended by striking "April 1" and inserting "September 1".

• Mr. BIDEN. Mr. President, I am pleased to join my good friend Senator HAGEL in introducing the Famine Prevention and Freedom from Hunger Improvement Act of 2000.

The challenge facing developing nations whose people live in hunger today is no longer just how to increase food production. As we enter the new millennium, those countries must also confront the problems of inadequate income, lack of access to markets for both producers and consumers, and unsustainable natural resource management practices.

One of the keys to all these issues must be a new, more productive relationship between educational institutions—here in the U.S. and in the affected countries—and their private partners involved in agricultural development. In short, they must become part of the new, higher-tech, international agricultural economy. This bill, an amendment to the Foreign Assistance Authorization Act, is designed to move us in that direction.

Mr. President, when delegates from around the world gathered in Rome in 1996 for the World Food Summit, they pledged to reduce by half the number of people suffering from hunger by the year 2015. At that time the number of hungry people was estimated to be between 830 and 840 million. Now, four years later, the Food and Agriculture Organization of the United Nations estimates that there are 790 million people in the developing world who do not get enough to eat each day. This is positive news, but it is painfully evident that more needs to be done.

Title XII of the FAA, Famine Prevention and Freedom from Hunger, was written in 1975, at a time when there was a significant level of famine and hunger in the world. Its aim was to involve U.S. universities in the fight to increase food production. Mr. President, that mission has achieved a large degree of success. It is time to go beyond the basic issue of production, to take on the further challenges of increasing access to markets, improving shipping and storage, promoting environmentally sustainable agriculture, and turning farming in developing nations from a subsistence activity into a source of income.

The U.S. Action Plan on Food Security was developed to fulfill America's part of the 1996 commitment to cut in half the number of hungry persons by 2015. This plan includes several key priority areas, including strengthened research and educational capacity, increased liberalization of trade and in-

vestment, and greater attention to natural resource management and environmental degradation. This legislation furthers U.S. efforts by amending title XII of the Foreign Assistance Act to reflect these priorities.

As a donor country, our task is to channel assistance into the areas in which it is most needed, and to use the most effective means to do so. American land and sea grant colleges have been engaged in agricultural research for years and, increasingly in the past decade, have partnered with private research institutions. In my own state of Delaware, Mr. President, both the University of Delaware and Delaware State University are engaged in just the kind of research that could benefit from the support this legislation will provide.

I would wager, Mr. President, that most Americans are not aware of the many direct benefits that our country's foreign assistance programs can provide for us right here at home. Our commitment to reduce hunger in developing countries not only benefits those in need: with the changes this bill proposes, we will increase the existing benefits to U.S. universities and research institutions, and our private organizations involved in agricultural development. Our assistance programs, while primarily aimed at helping those abroad, can and should reflect our commitment to involve U.S. universities and businesses, with all of their expertise and experience, in making the world a healthier, more productive, and a safer place.

Mr. President, here in the United States, we are experiencing a period of unprecedented growth. At a time in which we have so much, I believe that we have a moral obligation to share our blessings. This bill helps us to shift our priorities to reflect changing realities so that the generosity of the American people is as effective and targeted as possible.

Mr. SANTORUM (for himself, Mr. HUTCHINSON, and Mr. FITZGERALD):

S. 3127. A bill to protect infants who are born alive; to the Committee on the Judiciary.

BORN ALIVE INFANTS PROTECTION ACT OF 2000

• Mr. SANTORUM. Mr. President, I rise today to introduce the Born Alive Infants Protection Act. I would like to thank Senator HUTCHINSON and Senator FITZGERALD for joining me as original sponsors. This bill is the Senate companion to H.R. 4292, which the House of Representatives passed by a vote of 380-15.

When I came to the Senate six years ago, I never imagined that the bill I am offering today would be necessary. Simply stated, this measure gives legal status to a fully born living infant regardless of the circumstances of his or her birth. I am deeply saddened that we must clarify federal law to specify that a living newborn baby is, in fact, a per-

son. One could ask, "Why do you need federal legislation to state the obvious? What else could a living baby be, except a person?" I will begin my explanation with events in 1995, when the Senate began its attempts to outlaw a horrifying, inhumane, and barbaric abortion procedure: partial birth abortion. In this particular abortion method, a living baby is killed when he or she is only inches from being fully born. Twice, the House and Senate have stood united in sending a bill to President Clinton to ban this procedure. Twice, the President has vetoed the bill. And twice, the House courageously voted to override the veto. Although support in the Senate grew each time the ban came to a vote, the Senate fell a few votes shy of overriding the veto.

The Supreme Court's ruling in *Stenberg v. Carhart*, as well as subsequent rulings in lower courts, are disturbing on a number of levels. First, the Supreme Court struck down Nebraska's attempt to ban a grotesque procedure the American Medical Association has called "bad medicine," and thousands of physicians who specialize in high risk pregnancies have called "never medically necessary." Further, the Court said it did not matter that the baby is killed when it is almost totally outside the mother's body in this abortion method. In other known abortion methods, the baby is killed in utero. Finally, the U.S. Supreme Court, and the Third Circuit Court have stated it does not matter when the baby is positioned when it is aborted. This assertion, to me, is the most horrifying of all.

In the five years worth of debates on partial birth abortion, I have asked Senators a very simple question: "If a partial birth abortion was being performed on a baby, and for some reason the head slipped out and the baby was delivered, would the doctor and the mother have the right to kill that baby?" In five years, not one Senator who defended the procedure has provided a straightforward "yes" or "no" response. They would not answer my question. So last year, I revised it. In an effort to try to define when a child may be protected by the Constitution, I asked whether it would be alright to kill a baby whose foot is still inside the mother's body, or what if only a toe is inside? Again, I did not receive an answer.

Unfortunately, evidence uncovered at a recent hearing before the House Judiciary Subcommittee on the Constitution suggests my questions were not so hypothetical. In fact, two nurses testified to seeing babies who were born alive as a result of induced labor abortions being left to die in soiled utility rooms. Furthermore, the intellectual framework for legalization of killing unwanted babies is being constructed by a prominent bioethics professor at Princeton University. Professor Peter Singer has advocated allowing parents a 28 waiting period to decide whether

to kill a disabled or unhealthy newborn. In his widely disseminated book, *Practical Ethics*, he asserts, "killing a disabled infant is not morally equivalent to killing a person. Very often it is not wrong at all."

In response to these events, the Born Alive Infants Protection Act grants protection under federal law to newborns that are fully outside of the mother. Specifically, it states that federal laws and regulations referring to a "person," "human being," "child," and "individual" include "every infant member of the species homo sapiens who is born alive at any stage of development." "Born alive" means "the complete expulsion or extraction from its mother of that member, at any stage of development, who after such expulsion or extraction breathes or has a beating heart, pulsation of the umbilical cord, or definitive movement of voluntary muscles, regardless of whether the umbilical cord has been cut, and regardless of whether the expulsion or extraction occurs as a result of natural or induced labor, caesarean section, or induced abortion." The definition of "born alive" is derived from a World Health Organization definition of "live birth" that has been enacted in 30 states and the District of Columbia.

Again, all this bill says is that a living baby who is completely outside of its mother is a person, a human being, a child, and an individual. Similar legislation passed by the House of Representatives received overwhelming bipartisan support from Members on both sides of the general abortion debate. I am hopeful that the Senate and the President can agree that once a baby is completely outside of its mother, it is a person, deserving protections and dignity afforded to all other Americans.

I ask unanimous consent that the text of the Born Alive Infants Protection Act be printed in the RECORD following my remarks.

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

S. 3127

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 "Born-Alive Infants Protections Act of 2000".

SEC. 2. DEFINITION OF BORN-ALIVE INFANT.

(a) IN GENERAL.—Chapter 1 of title 1, United States Code, is amended by adding at the end the following:

"§ 8. 'Person', 'human being', 'child', and 'individual' as including born-alive infant

"(a) In determining the meaning of any Act of Congress, or of any ruling, regulation, or interpretation of the various administration bureaus and agencies of the United States, the words 'person', 'human being', 'child', and 'individual', shall include every infant member of the species homo sapiens who is born alive at any stage of development.

"(b) As used in this section, the term 'born alive', with respect to a member of the species homo sapiens, means the complete ex-

pulsion or extraction from its mother of that member of any stage of development, who after such expulsion or extraction breathes or has a beating heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, regardless of whether the umbilical cord has been cut, and regardless of whether the expulsion or extraction occurs as a result of natural or induced labor, caesarean section, or induced abortion."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of title 1, United States Code, is amended by adding at the end the following new item:

"8. 'Person', 'human being', 'child', and 'individual' as including born-alive infant."

Mr. HUTCHINSON. Mr. President, I rise today in support of the Born-Alive Infants Protection Act. While I am profoundly saddened by the fact that such legislation has become necessary, I am proud to be an original cosponsor and commend Senator SANTORUM for his efforts on behalf of those members of our society who don't yet have a voice.

While the abortion lobby announced its vociferous opposition to this common-sense legislation and will most certainly denounce this as an attack on *Roe v. Wade*, this is not such an attack. Rather, it is an effort to end the brutal practice of infanticide, and to reaffirm that a child may not be killed once it has been born.

I simply do not know how some of my colleagues will be able to defend the practice of killing children who have been born alive. We are talking about children who have been fully delivered. As I think of the moment I first held my grandson Jackson, I am repelled by the fact that our society has degenerated to the point where some people say that Jackson's life should be able to be taken even after his birth. I truly fear that if this practice is not stopped, some day, when the Peter Singers of the world have their way, the weakest members of our society—babies, the mentally retarded, the terminally ill, and the elderly—will have their lives taken from them against their will after someone has determined that their life is not meaningful.

Accordingly, I ask that my colleagues join me and work to enact this legislation.

Mr. ROTH (for himself, Mr. SARBANES, and Mr. BIDEN):

S.J. Res. 53. A resolution to commemorate fallen firefighters by lowering the American flag to half-staff on the day of the National Fallen Firefighters Memorial Service in Emmitsburg, Maryland; to the Committee on the Judiciary.

Mr. ROTH. Mr. President, I ask unanimous consent that the joint resolution be printed in the RECORD.

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

S.J. RES. 53

Whereas 1,200,000 men and women comprise the American fire and emergency services;

Whereas the fire and emergency services is considered one of the most dangerous jobs in the United States;

Whereas fire and emergency services personnel respond to over 16,000,000 emergency calls annually, without reservation and with little regard for their personal safety;

Whereas fire and emergency services personnel are the first to respond to an emergency, whether it involves a fire, medical emergency, spill of hazardous materials, natural disaster, act of terrorism, or transportation accident;

Whereas approximately one-third of all active fire and emergency personnel suffer debilitating injuries annually; and

Whereas approximately 100 fire and emergency services personnel die annually in the line of duty: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That each year, the American flags on all Federal office buildings will be lowered to half-staff on the day of the National Fallen Firefighters Memorial Service in Emmitsburg, Maryland.

ADDITIONAL COSPONSORS

S. 622

At the request of Mr. KENNEDY, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 622, a bill to enhance Federal enforcement of hate crimes, and for other purposes.

S. 922

At the request of Mr. ABRAHAM, the names of the Senator from New Jersey (Mr. TORRICELLI), the Senator from Louisiana (Mr. BREAUX), the Senator from North Dakota (Mr. CONRAD), the Senator from Arkansas (Mrs. LINCOLN), the Senator from Minnesota (Mr. WELLSTONE), and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 922, a bill to prohibit the use of the "Made in the USA" label on products of the Commonwealth of the Northern Mariana Islands and to deny such products duty-free and quota-free treatment.

S. 1020

At the request of Mr. MACK, his name was added as a cosponsor of S. 1020, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1510

At the request of Mr. MCCAIN, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 1510, a bill to revise the laws of the United States appertaining to United States cruise vessels, and for other purposes.

S. 1536

At the request of Mr. DEWINE, the names of the Senator from Florida (Mr. MACK), the Senator from Georgia (Mr. CLELAND), the Senator from Hawaii (Mr. INOUE), the Senator from Maryland (Mr. SARBANES), the Senator from Connecticut (Mr. DODD), the Senator from Virginia (Mr. ROBB), and the Senator from Georgia (Mr. MILLER) were added as cosponsors of S. 1536, a bill to amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act, to

modernize programs and services for older individuals, and for other purposes.

S. 1961

At the request of Mr. JOHNSON, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 1961, a bill to amend the Food Security Act of 1985 to expand the number of acres authorized for inclusion in the conservation reserve.

S. 2052

At the request of Mr. CAMPBELL, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 2052, a bill to establish a demonstration project to authorize the integration and coordination of Federal funding dedicated to community, business, and the economic development of Native American communities.

S. 2265

At the request of Mrs. HUTCHISON, the name of the Senator from Rhode Island (Mr. L. CHAFEE) was added as a cosponsor of S. 2265, a bill to amend the Internal Revenue Code of 1986 to preserve marginal domestic oil and natural gas well production, and for other purposes.

S. 2274

At the request of Mr. GRASSLEY, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 2274, a bill to amend title XIX of the Social Security Act to provide families and disabled children with the opportunity to purchase coverage under the medicaid program for such children.

S. 2293

At the request of Mr. SANTORUM, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 2293, a bill to amend the Federal Deposit Insurance Act and the Federal Home Loan Bank Act to provide for the payment of Financing Corporation interest obligations from balances in the deposit insurance funds in excess of an established ratio and, after such obligations are satisfied, to provide for rebates to insured depository institutions of such excess reserves.

S. 2341

At the request of Mr. GREGG, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2341, a bill to authorize appropriations for part B of the Individuals with Disabilities Education Act to achieve full funding for part B of that Act by 2010.

S. 2665

At the request of Mr. KYL, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 2665, a bill to establish a streamlined process to enable the Navajo Nation to lease trust lands without having to obtain the approval of the Secretary of the Interior of individual leases, except leases for exploration, development, or extraction of any mineral resources.

S. 2733

At the request of Mr. SANTORUM, the name of the Senator from Iowa (Mr.

GRASSLEY) was added as a cosponsor of S. 2733, a bill to provide for the preservation of assisted housing for low income elderly persons, disabled persons, and other families.

S. 2868

At the request of Mr. FRIST, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 2868, a bill to amend the Public Health Service Act with respect to children's health.

S. 2887

At the request of Mr. GRASSLEY, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 2887, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes.

S. 2904

At the request of Mr. BINGAMAN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 2904, a bill to amend the Internal Revenue Code of 1986 to provide tax incentives to encourage the production and use of efficient energy sources, and for other purposes.

S. 2912

At the request of Mr. KENNEDY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2912, a bill to amend the Immigration and Nationality Act to remove certain limitations on the eligibility of aliens residing in the United States to obtain lawful permanent residency status.

S. 2936

At the request of Mr. ROBB, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 2936, a bill to provide incentives for new markets and community development, and for other purposes.

S. 2986

At the request of Mr. HUTCHINSON, the names of the Senator from Kentucky (Mr. MCCONNELL) and the Senator from Missouri (Mr. BOND) were added as cosponsors of S. 2986, a bill to limit the issuance of regulations relating to Federal contractor responsibility, to require the Comptroller General to conduct a review of Federal contractor compliance with applicable laws, and for other purposes.

S. 3002

At the request of Mr. BINGAMAN, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 3002, a bill to authorize a coordinated research program to ensure the integrity, safety and reliability of natural gas and hazardous liquids pipelines, and for other purposes.

S. 3020

At the request of Mr. GRAMS, the name of the Senator from Maine (Ms.

SNOWE) was added as a cosponsor of S. 3020, a bill to require the Federal Communications Commission to revise its regulations authorizing the operation of new, low-power FM radio stations.

S. 3060

At the request of Mr. WELLSTONE, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 3060, a bill to amend the Hmong Veterans' Naturalization Act of 2000 to extend the applicability of that Act to certain former spouses of deceased Hmong veterans.

S. 3071

At the request of Mr. MACK, his name was added as a cosponsor of S. 3071, a bill to provide for the appointment of additional Federal circuit and district judges, and for other purposes.

S. 3073

At the request of Mr. DURBIN, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 3073, a bill to amend titles V, XVIII, and XIX of the Social Security Act to promote smoking cessation under the medicare program, the medicaid program, and the maternal and child health program.

S. 3105

At the request of Mr. BREAU, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 3105, a bill to amend the Internal Revenue Code of 1986 to clarify the allowance of the child credit, the deduction for personal exemptions, and the earned income credit in the case of missing children, and for other purposes.

S. 3112

At the request of Mr. ABRAHAM, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 3112, a bill to amend title XVIII of the Social Security Act to ensure access to digital mammography through adequate payment under the medicare system.

S. RES. 292

At the request of Mr. CLELAND, the names of the Senator from Maryland (Mr. SARBANES) and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S. Res. 292, a resolution recognizing the 20th century as the "Century of Women in the United States."

S. RES. 339

At the request of Mr. REID, the names of the Senator from Michigan (Mr. LEVIN), the Senator from Rhode Island (Mr. REED), the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KERRY), the Senator from North Carolina (Mr. HELMS), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from New York (Mr. SCHUMER), the Senator from North Dakota (Mr. DORGAN), the Senator from Maryland (Ms. MIKULSKI), the Senator from Pennsylvania (Mr. SPECTER), and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of S. Res. 339, a resolution

designating November 18, 2000, as "National Survivors of Suicide Day."

S. RES. 340

At the request of Mr. REID, the names of the Senator from North Dakota (Mr. CONRAD), the Senator from Wyoming (Mr. ENZI), the Senator from Alaska (Mr. MURKOWSKI), the Senator from Massachusetts (Mr. KERRY), the Senator from Michigan (Mr. LEVIN), and the Senator from South Carolina (Mr. THURMOND) were added as cosponsors of S. Res. 340, a resolution designating December 10, 2000, as "National Children's Memorial Day."

S. RES. 343

At the request of Mr. FITZGERALD, the names of the Senator from Rhode Island (Mr. L. CHAFEE) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. Res. 343, a resolution expressing the sense of the Senate that the International Red Cross and Red Crescent Movement should recognize and admit to full membership Israel's Magen David Adom Society with its emblem, the Red Shield of David.

S. RES. 359

At the request of Mr. SCHUMER, the names of the Senator from Virginia (Mr. ROBB), the Senator from Maryland (Ms. MIKULSKI), and the Senator from New York (Mr. MOYNIHAN) were added as cosponsors of S. Res. 359, a resolution designating October 16, 2000, to October 20, 2000 as "National Teach For America Week."

AMENDMENTS SUBMITTED

[Due to transmission difficulties, today's amendments were not available for printing. They will appear in the next issue of the RECORD.]

NOTICE OF HEARING

SUBCOMMITTEE ON ENERGY RESEARCH, DEVELOPMENT, PRODUCTION AND REGULATION

Mr. NICKLES. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Energy Research, Development, Production and Regulation.

The hearing will take place on Thursday, October 5, 2000 at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of this hearing is to receive testimony on the electricity challenges facing the Northwest.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on Energy Research, Development, Production and Regulation, Committee on Energy and Natural Resources, United States Senate, 364 Dirksen Senate Office Building, Washington, D.C. 20510-6150.

For further information, please call Trici Heninger at (202) 224-7875.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, September 27, 2000, at 9:30 a.m., in open session to receive testimony on the status of U.S. military readiness.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, September 27, 2000, at 9:30 a.m. on motion picture CEO's.

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

COMMITTEE ON FINANCE

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, September 27, 2000 to mark up H.R. 4844, the Railroad Retirement and Survivors' Improvement Act of 2000 and the Community Renewal and New Markets Act of 2000.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, September 27, 2000 at 2:30 p.m. to hold a hearing.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Wednesday, September 27, 2000 at 9:30 a.m. for a business meeting to consider pending Committee business.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, September 27, 2000 at 9:30 a.m. in room 485 of the Russell Senate Building to conduct a hearing on S. 2052, the Indian Tribal Development Consolidated Funding Act of 2000, to be followed immediately by a business meeting to markup S. 1840, the California Indian Land Transfer Act; S. 2665, to establish a streamlined process to enable the Navajo Nation to lease trust lands without having to obtain the approval of the Secretary of the Interior of individual leases, except leases for exploration, development, or extraction of any mineral resources; S. 2917, the Santo Domingo Pueblo Claims Settlement Act of 2000, H.R. 4643, the Torrez-Martinez Desert Cahuilla Indian Claims Settlement Act; S. 2688, the Na-

tive American Languages Act Amendments Act of 2000; S. 2580, the Indian School Construction Act; S. 3031, to make certain technical corrections in laws relating to Native Americans; S. 2920, the Indian Gaming Regulatory Improvement Act of 2000; S. 2526, to amend the Indian Health Care Improvement Act to revise and extend such Act; and H.R. 1460, to amend the Ysleta Sur and Alabama and Coushatta Indian tribes of Texas restoration Act, and for other purposes.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. THOMAS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, September 27, 2000 at 2:30 p.m. to hold a closed hearing on intelligence matters.

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

SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT AND THE COURTS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Administrative Oversight and the Courts be authorized to meet to conduct a hearing on Wednesday, September 27, 2000, at 9:30 a.m. The hearing will take place in Dirksen Room 226.

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

SUBCOMMITTEE ON CLEAN AIR, WETLANDS, PRIVATE PROPERTY, AND NUCLEAR SAFETY

Mr. THOMAS. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety be authorized to meet Wednesday, September 27, at 2:15 p.m., Hearing Room (SD-406), to receive testimony from State and local governments on the reauthorization of the Clean Air Act.

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

SUBCOMMITTEE ON RESEARCH, NUTRITION AND GENERAL LEGISLATION

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry Subcommittee on Research, Nutrition and General Legislation be authorized to meet during the session of the Senate on Wednesday, September 27, 2000. The purpose of this hearing will be to review U.S. Department of Agriculture Financial Management issues.

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

PRIVILEGE OF THE FLOOR

Mr. GRAHAM. Mr. President, I ask unanimous consent that the congressional fellow in my office, Miss Terri Ceravolo, be granted privileges of the floor during duration of this debate on S. 2045.

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