

program through the end of fiscal year 2008.

S. 623

At the request of Mr. WARNER, the names of the Senator from Virginia (Mr. ALLEN), the Senator from Idaho (Mr. CRAIG), the Senator from New Jersey (Mr. CORZINE), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Maryland (Mr. SARBANES), the Senator from Oregon (Mr. SMITH), the Senator from Florida (Mr. GRAHAM), the Senator from Illinois (Mr. FITZGERALD), the Senator from South Dakota (Mr. JOHNSON), the Senator from New Hampshire (Mr. GREGG), the Senator from Georgia (Mr. MILLER), the Senator from Vermont (Mr. JEFFORDS), the Senator from Maine (Ms. SNOWE) and the Senator from Delaware (Mr. BIDEN) were added as cosponsors of S. 623, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S.J. RES. 3

At the request of Mr. LIEBERMAN, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S.J. Res. 3, a joint resolution expressing the sense of Congress with respect to human rights in Central Asia.

S.J. RES. 8

At the request of Mr. BROWNBACK, the name of the Senator from Louisiana (Mr. BREAU) was added as a cosponsor of S.J. Res. 8, a joint resolution expressing the sense of Congress with respect to raising awareness and encouraging prevention of sexual assault in the United States and supporting the goals and ideals of National Sexual Assault Awareness and Prevention Month.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN:

S. 629. A bill to amend the Internal Revenue Code of 1986 to assist individuals who have lost their 401(k) savings to make additional retirement savings through individual retirement account contributions, and for other purposes; to the Committee on Finance.

Mr. WYDEN. Mr. President, over a year ago the greed of some senior executives at the Enron corporation finally caught up with them. Enron's financial house of cards began to tumble, and along with it went the pensions and retirement dreams of thousands of employees and investors. Among the employees whose pensions were crushed in Enron's accounting avalanche were nearly all of Portland General Electric, or PGE's 2,700 employees in Oregon.

Enron took over PGE in June of 1997, and two years later merged the PGE employee 401(k) retirement plan into a single plan. That plan allowed employees to contribute up to 15 percent of their income, with the company

matching in Enron stock. When Enron took over PGE in 1997, PGE's stock was trading at \$27 a share; three years after the merger, Enron stock was trading at \$85 a share, enticing employees to invest 100 percent of their 401(k) money in Enron stock.

Enron's stock had begun to slide in August 2001, and it was not until October that real panic set in. At that time the captains of the Enron ship knew it was sinking. In an effort to prevent a massive stock sell-off, senior executives on the deck locked workers in the boiler room, preventing them from selling off 401(k) shares while they dumped their own. By the time the pension lockdown ended, an Enron share was worth less than ten dollars. In early December, Enron filed for bankruptcy.

Earlier this year Congress enacted significant corporate accountability legislation so that executives and accountants can no longer use certified financial statements to play a game of financial hide-and-seek. But little was done for the workers who were locked in the boiler room. The purpose of the legislation I am introducing today, the "Catch-Up Retirement Savings Act," is to give those PGE employees who were harmed by the greed of Enron executives the opportunity to catch-up on some of their lost retirement. My bill does two things to help workers. First, it allows employees to triple the deductible amount they may otherwise contribute to an IRA, and second, it gives employees a 50 percent tax credit on the amount they contribute to their IRA. The tax incentives would be available for five years to employees whose employer filed for bankruptcy and who was the subject of an indictment or conviction resulting from business transactions related to such case, and whose employer matched at least 50 percent of the employee's contributions to the pension plan.

No act of Congress can ever respond fully to the egregious harm that has been caused to thousands of Oregonians by the collapse of Enron. But I believe that something must be done to help recoup some of the lost pension savings. The "Catch-Up Lost Retirement Savings Act" is a small but important step that Congress should take to help employees to begin to catch-up on their retirement savings.

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

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

S. 629

*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 "Catch-Up Lost Retirement Savings Act".

#### SEC. 2. ALLOWANCE OF CATCH-UP PAYMENTS.

(a) IN GENERAL.—Section 219(b)(5) of the Internal Revenue Code of 1986 (relating to deductible amount) is amended by redesignating subparagraph (C) as subparagraph (D) and by inserting after subparagraph (A) the following new subparagraph:

(C) CATCH-UP CONTRIBUTIONS FOR CERTAIN INDIVIDUALS.—

(i) IN GENERAL.—In the case of an eligible individual who elects to make a qualified retirement contribution in addition to the deductible amount determined under subparagraph (A)—

(I) the deductible amount for any taxable year shall be increased by an amount equal to 3 times the applicable amount determined under subparagraph (B) for such taxable year, and

(II) subparagraph (B) shall not apply.

(ii) ELIGIBLE INDIVIDUAL.—For purposes of this subparagraph, the term 'eligible individual' means, with respect to any taxable year, any individual who was a qualified participant in a qualified cash or deferred arrangement (as defined in section 401(k)) of an employer described in clause (ii) under which the employer matched at least 50 percent of the employee's contributions to such arrangement with stock of such employer.

(iii) EMPLOYER DESCRIBED.—An employer is described in this clause if, in any taxable year preceding the taxable year described in clause (ii)—

(I) such employer (or any controlling corporation of such employer) was a debtor in a case under title 11 of the United States Code, or similar Federal or State law, and

(II) such employer (or any other person) was subject to an indictment or conviction resulting from business transactions related to such case.

(iv) QUALIFIED PARTICIPANT.—For purposes of clause (ii), the term 'qualified participant' means any eligible individual who was a participant in the cash or deferred arrangement described in clause (i) at least 6 months before the filing of the case described in clause (iii).

(v) TERMINATION.—This subparagraph shall not apply to taxable years beginning after December 31, 2007."

(b) CREDIT ALLOWED FOR CATCH-UP CONTRIBUTIONS.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to nonrefundable personal credits) is amended by inserting after section 25B the following new section:

**"SEC. 25C. CERTAIN CATCH-UP IRA CONTRIBUTIONS.**

(a) ALLOWANCE OF CREDIT.—In the case of an eligible individual who makes an election under section 219(b)(5)(C) for the taxable year, there shall be allowed as a credit against the tax imposed by this chapter for such taxable year an amount equal to 50 percent of so much of the qualified retirement savings contributions of the eligible individual for the taxable year as do not exceed the increase in the deductible amount determined under section 219(b)(5)(C).

(b) DENIAL OF DOUBLE BENEFIT.—No deduction or other credit shall be allowed with respect to any contribution to which a credit is allowed under subsection (a).

(c) INVESTMENT IN THE CONTRACT.—Notwithstanding any other provision of law, a qualified retirement savings contribution shall not fail to be included in determining the investment in the contract for purposes of section 72 by reason of the credit under this section.

(d) TERMINATION.—This section shall not apply to taxable years beginning after December 31, 2007."

(c) CONFORMING AMENDMENT.—The table of sections for subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 25B the following new item:

"Sec. 25C. Certain catch-up IRA contributions."

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2002.

"CATCH-UP" SAVINGS AMOUNTS ALLOWED

For Years 2003–2004: IRA Contribution, \$3,000; Catch-up amount, \$1,500; and Credit, 50% = \$750/year.

For Years 2005: IRA Contribution, \$4,000; Catch-up amount, \$1,500; and Credit, 50% = \$750/year.

For Years 2006 and 07: IRA Contribution, \$4,000; Catch-up amount, \$3,000; and Credit, 50% = \$1,500/year.

Total amount from credit for years 2003 through 2007, assuming maximum amount saved, equals \$5,250.

By Mr. CRAIG (for himself, Mr. BINGAMAN, Mr. WARNER, Ms. COLLINS, Mr. SARBANES, and Mr. ROCKEFELLER).

S. 632. A bill to amend title XVIII of the Social Security Act to expand coverage of medical nutrition therapy services under the medicare program for beneficiaries with cardiovascular disease; to the Committee on Finance.

Mr. CRAIG. Mr. President, I ask unanimous consent that the text of the bill I am introducing today, on medical nutrition therapy, be printed in the RECORD.

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

S. 632

*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 "Medicare Medical Nutrition Therapy Amendment Act of 2003".

**SEC. 2. COVERAGE OF MEDICAL NUTRITION THERAPY SERVICES FOR BENEFICIARIES WITH CARDIOVASCULAR DISEASES.**

(a) IN GENERAL.—Section 1861(s)(2)(V) of the Social Security Act (42 U.S.C. 1395x(s)(2)(V)) is amended to read as follows:

"(V) medical nutrition therapy services (as defined in subsection (vv)(1)) in the case of a beneficiary—

"(i) with a cardiovascular disease (including congestive heart failure, arteriosclerosis, hyperlipidemia, hypertension, and hypercholesterolemia), diabetes, or a renal disease (or a combination of such conditions) who—

"(I) has not received diabetes outpatient self-management training services within a time period determined by the Secretary;

"(II) is not receiving maintenance dialysis for which payment is made under section 1881; and

"(III) meets such other criteria determined by the Secretary after consideration of protocols established by dietitian or nutrition professional organizations; or

"(ii) with a combination of such conditions who—

"(I) is not described in clause (i) because of the application of subclause (I) or (II) of such clause;

"(II) receives such medical nutrition therapy services in a coordinated manner (as determined appropriate by the Secretary) with any services described in such subclauses that the beneficiary is receiving; and

"(III) meets such other criteria determined by the Secretary after consideration of protocols established by dietitian or nutrition professional organizations.

"(I) has not received diabetes outpatient self-management training services within a time period determined by the Secretary;

"(II) is not receiving maintenance dialysis for which payment is made under section 1881; and

"(III) meets such other criteria determined by the Secretary after consideration of protocols established by dietitian or nutrition professional organizations.

"(I) has not received diabetes outpatient self-management training services within a time period determined by the Secretary;

"(II) is not receiving maintenance dialysis for which payment is made under section 1881; and

"(III) meets such other criteria determined by the Secretary after consideration of protocols established by dietitian or nutrition professional organizations.

"(I) has not received diabetes outpatient self-management training services within a time period determined by the Secretary;

"(II) is not receiving maintenance dialysis for which payment is made under section 1881; and

"(III) meets such other criteria determined by the Secretary after consideration of protocols established by dietitian or nutrition professional organizations.

"(I) has not received diabetes outpatient self-management training services within a time period determined by the Secretary;

"(II) is not receiving maintenance dialysis for which payment is made under section 1881; and

"(III) meets such other criteria determined by the Secretary after consideration of protocols established by dietitian or nutrition professional organizations.

"(I) has not received diabetes outpatient self-management training services within a time period determined by the Secretary;

"(II) is not receiving maintenance dialysis for which payment is made under section 1881; and

"(III) meets such other criteria determined by the Secretary after consideration of protocols established by dietitian or nutrition professional organizations.

"(I) has not received diabetes outpatient self-management training services within a time period determined by the Secretary;

"(II) is not receiving maintenance dialysis for which payment is made under section 1881; and

"(III) meets such other criteria determined by the Secretary after consideration of protocols established by dietitian or nutrition professional organizations.

for such member of hours as the Secretary may specify, except that, in the case of a beneficiary with a cardiovascular disease, such number may not exceed 3 hours in a year without a determination of a physician that additional hours are medically necessary in that year due to a change in medically necessary in that year due to a change in medical condition, diagnosis, or treatment regime of the patient;"

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to services furnished on or after the date of the enactment of this Act.

By Mrs. BOXER:

S. 630. A bill to authorize the Secretary of the Interior to conduct a study of the San Gabriel River Watershed, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. BOXER. Mr. President, I am pleased to be re-introducing today a bill that will take an important first step in restoring the San Gabriel River, which runs through Los Angeles, CA. During the 107th Congress, this bill received unanimous support from the House of Representatives and from the Senate as part of an omnibus California Parks bill. However, due to a technical error, unrelated to this legislation, the bill was never sent to the President. I am hopeful that this legislation will quickly receive the consideration it deserves so it can be enacted into law.

The San Gabriel River has suffered from years of abuse and neglect and needs our help. For far too long, we have channeled, redirected, constricted, polluted, and simply ignored it. The result is that substantial portions of the river look nothing like its natural form. Instead of soft bottoms covered with aquatic grasses, stream banks lined with trees and bushes, and waters teeming with fish, these rivers have cement bottoms, cement banks, and little remaining wildlife.

Today, we begin what will be a long, slow process in turning the tide for this urban watershed. This bill directs the Secretary of the Interior to conduct a study of the San Gabriel River watershed to consider various mechanisms for providing federal protection and assistance to this river and its watershed.

It is particularly important to restore the San Gabriel River so it can serve as a source of outdoor recreation for one of our Nation's most congested urban areas. Most communities in Los Angeles are desperate for open space. They seek outdoor areas where children can play, adults can meet, and people of all ages can find respite from the daily hustle and bustle of some of our most economically and socially stressed neighborhoods. The San Gabriel River system can and should provide that to them.

This vision is shared by Congresswoman HILDA SOLIS, who first introduced this bill in the House of Representatives in the last Congress. I look forward to working with her on passing this bill quickly and then tak-

ing the additional steps needed to restore the San Gabriel River.

By Mr. KERRY (for himself, Ms. LANDRIEU, Ms. STABENOW, Ms. CANTWELL, and Mr. PRYOR):

S. 633. A bill to modify the contract consolidation requirements in the Small Business Act, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Mr. KERRY. Mr. President, I am pleased today to be re-introducing legislation, the "Small Business Federal Contractor Safeguard Act," designed to protect the interests of small businesses in the Federal marketplace.

Currently as the Ranking Member, and last Congress as Chairman, of the Senate Committee on Small Business and Entrepreneurship, I have focused a considerable amount of energy on increasing the role of small businesses in the Federal marketplace. Not only is it an issue of fairness, but it is in the best interest of our economy and our national security. In fact, the Small Business Administration was created after World War II to ensure that small businesses would be viable for defense-related production, to build a diverse pool of suppliers so that the country would not be dependent on only a handful of companies. As this country prepares for war in Iraq and continues the on-going war on terrorism, we should be improving that viability and expanding that diverse pool. We should be increasing our business with small business, not reducing it.

It is no secret that the Committee on Small Business and Entrepreneurship places a great deal of importance on moving legislation forward in a bipartisan manner—the members of my Committee understand we represent the interests of all of our nation's small businesses, the most important and dynamic segment of our economy. And nowhere is the bipartisan consensus stronger than in the area of Federal procurement and ensuring that our nation's small businesses receive their fair share of procurement opportunities.

The legislation we are introducing today has one ultimate purpose, to prevent Federal agencies from circumventing small business protections with regard to the practice known as contract bundling. Few issues have so strongly galvanized the small businesses contacting community as the practice of contract bundling, which occurs when procurement contracts are combined to form large contracts, often spread over large geographic areas, and results in minimal or no small business participation.

Many supporters of the practice of contract bundling point to its cost savings—they claim it saves the taxpayer money to lump contracts together. Unfortunately, there is little evidence supporting this claim, and too many contracts are bundled without the required economic research designed to determine if a bundled contract will actually result in a cost savings.

The SBA's Office of Advocacy, an independent body within the SBA, estimated that for every increase of 100 bundled contracts, there was a decrease of over 106 individual contracts issued to small firms. For every \$100 awarded on a bundled contract, there was a decrease of \$33 to small business. This cost small businesses an estimated \$13 billion in 2001. The Office of Advocacy arrived at these conclusions using a conservative definition of what constitutes a bundled contract. Therefore, the negative impact on small businesses from contract bundling is likely more severe.

While seemingly an efficient and cost-effective means for Federal agencies to conduct business, bundled contracts are anti-competitive. And they are anti-small business. When a Federal agency bundles contracts, it limits small businesses' ability to bid for the new bundled contract, thus limiting competition. Small businesses are consistently touted as more innovative, providing better and cheaper services than their larger counterparts. But when forced to bid for mega-contracts, at times across large geographic areas, few, if any, small businesses can be expected to compete. By driving small business from the Federal marketplace, contract bundling will actually drive up the costs of goods and services purchased by the Federal government because competition will be limited and our economy will be deprived of possible innovations brought about by small businesses.

While there are current laws in place intended to require Federal agencies to conduct market research before bundling a contract, loopholes in the current definition of a bundled contract allow them to often skirt these safeguards.

Our legislation changes the name "bundled contract" to "consolidated contract," strengthens the definition of a consolidated contract, and closes the loopholes in the existing definition to prevent Federal agencies from circumventing statutory safeguards intended to ensure that separate contracts are consolidated for economic reasons, not administrative expediency.

The new definition relies on a simple premise: if you combine contracts, be it new contracts, existing contracts or a combination thereof, you are consolidating them and would need to take the necessary steps to ensure it is justified economically before proceeding.

Our legislation also alters the current Small Business Act requirements regarding procurement strategies when a contract is consolidated to include a threshold level for triggering the economic research requirements.

Previously, any consolidated contract would trigger the economic research requirements, something considered onerous by many Federal agencies and often cited as the reason for circumventing the law. The new procurement strategies section of the

Small Business Act would require a statement of benefits and a justification for any consolidated contract over \$2 million and a more extensive analysis, corresponding to current requirements for any consolidated contract, for consolidations over \$5 million.

In order to move forward with a consolidated contract over \$2 million, the agency must put forth the benefits expected from the contract, identify alternatives that would involve a lesser degree of consolidation and include a specific determination that the consolidation is necessary and justified. The determination that a consolidation is necessary and justified may be determined simply through administrative and personnel savings, but there must be actual savings.

In order to move forward with a consolidated contract over \$5 million, an agency must, in addition to the above: conduct current market research to demonstrate that the consolidation will result in costs savings, quality improvements, reduction in acquisition times, or better terms and conditions; include an assessment as to the specific impediments to small business participation resulting from the consolidation; and specify actions designed to maximize small business participation as subcontractors and suppliers for the consolidated contract. The determination that a consolidation is necessary and justified may not be determined through administrative and personnel savings alone unless those savings will be substantial for these larger contracts.

By establishing this dual-threshold system, we have placed the emphasis for the economic research on contracts more likely to preclude small business participation, while not ceding smaller contracts to the whims of a Federal agency. This change, coupled with a clear definition of a consolidated contract, should be enough to garner compliance. However, if Federal agencies continue to consolidate contracts when there is no justification, fail to conduct the required economic research, or fail to provide procurement opportunities to small businesses, the Committee would have little choice but to consider legislative changes requiring punitive measures for these Federal agencies. This is a step I have been reluctant to take in the past. However, I am optimistic that such a step will not be necessary and that the fair and reasonable system established under this legislation will be effective.

I would once again like to thank my fellow sponsors, Senators LANDRIEU, STABENOW, CANTWELL, and PRYOR for their continued support on this issue. I hope all of my colleagues will join us in supporting this bill. I ask that the text of the legislation be printed in the RECORD.

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

S. 633

*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 "Small Business Federal Contractor Safeguard Act".

**SEC. 2. CONTRACT CONSOLIDATION.**

(a) DEFINITIONS.—Section 3(o) of the Small Business Act (15 U.S.C. 632(o)) is amended to read as follows:

"(o) DEFINITIONS.—In this Act the following definitions shall apply:

"(1) CONSOLIDATED CONTRACT; CONSOLIDATION.—The term 'consolidated contract' or 'consolidation' means a multiple award contract or a contract for goods or services with a Federal agency that—

"(A) combines discrete procurement requirements from not less than 2 existing contracts;

"(B) adds new, discrete procurement requirements to an existing contract; or

"(C) includes 2 or more discrete procurement requirements.

"(2) MULTIPLE AWARD CONTRACT.—The term 'multiple award contract' means—

"(A) a contract that is entered into by the Administrator of General Services under the multiple award schedule program referred to in section 2302(2)(C) of title 10, United States Code;

"(B) a multiple award task order contract or delivery order contract that is entered into under the authority of sections 2304a through 2304d of title 10, United States Code, or sections 303H through 303K of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h through 253k); and

"(C) any other indefinite delivery or indefinite quantity contract that is entered into by the head of a Federal agency with 2 or more sources pursuant to the same solicitation."

(b) PROCUREMENT STRATEGIES.—Section 15(e) of the Small Business Act (15 U.S.C. 644(e)) is amended to read as follows:

"(e) PROCUREMENT STRATEGIES; CONTRACT CONSOLIDATION.—

"(1) IN GENERAL.—To the maximum extent practicable, procurement strategies used by the various agencies having contracting authority shall facilitate the maximum participation of small business concerns as—

"(A) prime contractors;

"(B) subcontractors; and

"(C) suppliers.

"(2) PROCUREMENT STRATEGY REQUIREMENTS WHEN THE VALUE OF A CONSOLIDATED CONTRACT IS GREATER THAN \$2,000,000.—

"(A) IN GENERAL.—An agency official may not execute a procurement strategy that includes a consolidated contract valued at more than \$2,000,000 unless the proposed procurement strategy—

"(i) specifically identifies the benefits anticipated from consolidation;

"(ii) identifies any alternative contracting approaches that would involve a lesser degree of contract consolidation; and

"(iii) includes a specific determination that the proposed consolidation is necessary and the anticipated benefits of such consolidation justify its use.

"(B) NECESSARY AND JUSTIFIED.—The head of an agency may determine that a procurement strategy under subparagraph (A)(iii) is necessary and justified if the monetary benefits of the procurement strategy, including administrative and personnel costs, substantially exceed the monetary benefits of each of the possible alternative contracting approaches identified under subparagraph (A)(ii).

"(C) ADDITIONAL REQUIREMENTS WHEN THE VALUE OF A CONSOLIDATED CONTRACT IS GREATER THAN \$5,000,000.—In addition to meeting the requirements under paragraph (A), a

procurement strategy that includes a consolidated contract valued at more than \$5,000,000—

“(i) shall be supported by current market research that demonstrates that the consolidated contract will result in—

“(I) cost savings;  
“(II) quality improvements;  
“(III) reduction in acquisition cycle times;  
or

“(IV) better terms and conditions;  
“(ii) shall include an assessment of the specific impediments to participation by small business concerns as prime contractors that result from contract consolidation;

“(iii) shall specify actions designed to maximize small business participation as subcontractors, including suppliers, at various tiers under the consolidated contract; and

“(iv) shall not be justified under paragraph (A)(iii) by savings in administrative or personnel costs, unless the total amount of the cost savings is expected to be substantial in relation to the total cost of the procurement.

“(3) CONTRACT TEAMING.—

“(A) IN GENERAL.—If the head of an agency solicits offers for a consolidated contract, a small business concern may submit an offer that provides for the use of a particular team of subcontractors for the performance of the contract (referred to in this paragraph as ‘teaming’).

“(B) EVALUATION OF OFFER.—The head of the agency shall evaluate an offer submitted by a small business concern under subparagraph (A) in the same manner as other offers, with due consideration to the capabilities of all of the proposed subcontractors.

“(C) NO EFFECT ON STATUS AS A SMALL BUSINESS CONCERN.—If a small business concern engages in teaming under subparagraph (A), its status as a small business concern shall not be affected for any other purpose.”

(C) CONFORMING AMENDMENTS.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) in section 2(j)—

(A) by striking the subsection heading and inserting the following:

“(j) CONTRACT CONSOLIDATION.—”; and

(B) in paragraph (3), by striking “bundling of contract requirements” and inserting “contract consolidation”;

(2) in section 8(d)(4)(G), by striking “a bundled contract” and inserting “a consolidated contract”;

(3) in section 15(a)—

(A) by striking “bundling of contract requirements” and inserting “contract consolidation”; and

(B) by striking “the bundled contract” and inserting “the consolidated contract”; and

(4) in section 15(k)(5)—

(A) by striking “significant bundling of contract requirements” and inserting “consolidated contracts valued at more than \$2,000,000”; and

(B) by striking “bundled contract” and inserting “consolidated contract”.

By Mr. HATCH (for himself, Mr. DOMENICI, and Mr. BINGAMAN):

S. 634. A bill to amend the National Trails System Act to direct the Secretary of the Interior to carry out a study on the feasibility of designating the Trail of the Ancients as a national historic trail; to the Committee on Energy and Natural Resources.

Mr. HATCH. Mr. President, I rise today to introduce a bill to help highlight and protect sites in one of our Nation’s most archaeologically rich regions, the Four Corners. The Trail of

the Ancients National Historic Trail Act of 2003 would amend the National Trails System Act to direct a study of the suitability of designating the Trail of the Ancients as a national historic trail.

The Trail of the Ancients National Historic Trail would become a multistate, auto route featuring world-renowned examples of Ancestral Puebloan cultures in the Four Corners area. The Ancestral Pueblos, also known as Anasazi, preceded today’s Navajo and Ute tribes. The Trail of the Ancients connects many of the most significant Ancestral Puebloan sites in the Four Corners area of Utah, Colorado, Arizona, and New Mexico.

The Four Corners region in the Southwestern United States is one of the areas of greatest archaeological interest in the Nation. The Trail of the Ancients National Historic Trail would provide improved access to and understanding of this region’s numerous examples of the Ancestral Puebloan culture. The history of the Four Corners region is not only unique and important to the Nation, it is unparalleled in how well it is preserved in the remaining archaeological sites. The semi-arid climate of the Four Corners area has helped preserve some the archaeological sites beyond what is typically seen in most other areas of the United States. International recognition of a number of the sites in the area has contributed to the wealth of information about the peoples who lived in them.

The Trail would highlight areas and sites where our Nation’s earliest inhabitants, the Paleo Americans, traveled and lived as early as 10,000 B.C. Within the same region lived the Ancestral Puebloan Indians from about A.D. 1 to 1300. The Trail would also feature sites that chronicle the existence of today’s Ute Indian culture from the early 13th century, as well as today’s Navajo people.

I point out that the Trail of the Ancients National Historic Trail would include only existing routes and roads, and would not require the acquisition of additional property. Currently, much of the existing route is officially designated a Scenic Byway in Utah, Colorado, and Arizona. The trail also intersects and shares stops with other national- and State-designated byways and highways including the San Juan Skyway in Colorado and the Utah Bicentennial Highway.

Most of the existing cultural and historical interpretation of the numerous sites along the trail was developed independently. Designation of the Trail of the Ancients National Historic Trail would link many of the cultural and recreation areas for the benefit of the traveling public and involved communities. Just as importantly, designation as a national historic trail would provide a unified framework for protecting and interpreting for the public the trail’s most important sites.

That is why I am introducing this legislation today. This bill would au-

thorize the study of the Trail of the Ancients for possible inclusion in the National Trails System and allow for its precious and irreplaceable sites to be best protected, as well as enjoyed by the public.

I thank the Senate for the opportunity to address this issue today, and I urge my colleagues to support this legislation.

Ms. COLLINS (for herself and Mr. BOND):

S. 636. A bill to amend title XVIII of the Social Security Act to provide for a permanent increase in medicare payments for home health services that are furnished in rural areas; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise today to introduce the Rural Home Health Payment Fairness Act, which would extend the 10 percent add-on payment under Medicare for home health care services in rural areas that is currently scheduled to sunset on April 1. This legislation would help to ensure seniors and disabled citizens living in rural America continue to receive the home health care benefits and services they depend on and deserve.

Health care in this country has gone full circle. Patients are spending less time in the hospital. More and more procedures are being done on an outpatient basis and recovery and care for patients with chronic diseases and conditions have increasingly been taking place in the home. As a consequence, home health care has become an increasingly important part of our health care. The kinds of highly skilled and often technically complex services our Nation’s home health nurses provide have enabled millions of our most frail and vulnerable senior citizens to avoid hospitals and nursing homes and stay where they want to be, in the security, privacy, and comfort of their very own homes.

I have visited home health patients throughout my State in northern, central, and southern Maine. Regardless of where they live, the impact of home health care on their lives has been the same. It has made the difference between couples staying together in their own home for their golden years, despite the ill health of one of the spouses, or being forced prematurely into a nursing home or into repeated hospitalizations.

One elderly gentleman told me all he wanted was to live out the remaining days of his life with his wife, whom he had been married to for decades, and that home health care allowed them to be together in the home where they had always lived, as he completes his final years.

Home health care is also a bargain. It makes a great deal of sense to care for people in their own homes and avoid the extra costs of nursing homes and hospitalization. Our home health care system is fragile. Extension of the 10 percent add-on payment for rural home

health care agencies will help to ensure that patients living in rural communities continue to have access to vital home health services. Surveys have shown the delivery of home health services in rural areas can be as much as 12 to 15 percent more costly because of the extra travel time required to cover long distances between patients, higher transportation expenses, and other cost factors.

Rural agencies also experience higher costs relative to productivity. Because of the longer travel distances, rural caregivers are unable to perform as many visits in a single day as their urban counterparts. Sandra Scott-Adams, the Executive Director of Visiting Nurses of Aroostook in northern Maine, tells me her agency covers 6,600 square miles to serve a population of only 73,000. Her costs are understandably much higher and her hard-working nurses are not able to see as many patients in a day as their urban counterparts. The long distances they must drive mean they are able to see fewer patients each day.

Moreover, agencies in rural areas are frequently smaller than their big city counterparts, which means their relative costs are higher due to smaller scale operations and an ability to take advantage of economies of scale. Smaller agencies with fewer patients and fewer visits mean that fixed costs, particularly those associated with meeting regulatory requirements, are spread over a smaller number of patients and visits, increasing overall per-patient and per-visit costs. If the rural add-on payment is eliminated on April 1, it will only put more pressure on our rural home health agencies that are already operating on a very narrow margin, and it could, in fact, force some of these agencies to close.

Some agencies operating in rural areas are the only home health providers for a vast geographic area. If any of these agencies are forced to close, the Medicare patients in that region will completely lose their access to home health care.

Earlier this year, the Medicare Payment Advisory Commission voted unanimously to extend the rural add-on payment for home health services for one year. I urge all of my colleagues to join me in cosponsoring this important legislation to ensure that all of our seniors, no matter where they live, whether they live in big cities, in suburbs, or the smallest communities, continue to have access to quality home health services.

#### SUBMITTED RESOLUTIONS

**SENATE RESOLUTION 90—EXPRESSING THE SENSE OF THE SENATE THAT THE SENATE STRONGLY SUPPORTS THE NON-PROLIFERATION PROGRAMS OF THE UNITED STATES**

Mr. BYRD (for himself, and Mr. LUGAR) submitted the following resolu-

tion; which was referred to the Committee on Foreign Relations:

S. RES. 90

Whereas on March 6, 2003, the Senate gave its advice and consent to the Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions, done at Moscow on May 24, 2002 (the Moscow Treaty), which treaty will result in the draw down of thousands of strategic nuclear weapons by December 31, 2012;

Whereas the lack of strict and effective control over and security of all weapons of mass destruction by the governments having jurisdiction over such weapons continues to be of grave concern to all nations that are threatened by terrorism, especially after the catastrophic terrorist attacks of September 11, 2001; and

Whereas despite some recent improvements in cooperation at the highest levels of the Russian Federation, various officials and agencies of the Russian Federation have been counter-productive in barring access and information to the United States with respect to nonproliferation programs and activities, thereby needlessly hindering the progress of such programs and activities: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) the Senate strongly supports the non-proliferation programs of the Department of Defense, the Department of Energy, and the Department of State, which programs are intended to reduce the worldwide threat posed by nuclear, chemical, and biological weapons that remain unsecured in the Russian Federation and elsewhere;

(2) the Russian Federation should continue to improve the access of the United States to key facilities, and the sharing of information with the United States, so as to bring a successful and timely conclusion to various non-proliferation programs and activities; and

(3) the United States should redouble its efforts to achieve full implementation of the nonproliferation programs of the Department of Defense, the Department of Energy, and the Department of State under effective management, and make full use of all funds that Congress appropriates or otherwise makes available for such programs.

**SENATE RESOLUTION 91—AFFIRMING THE IMPORTANCE OF A NATIONAL DAY OF PRAYER AND FASTING, AND EXPRESSING THE SENSE OF THE SENATE THAT MARCH, 17, 2003, SHOULD BE DESIGNATED AS A NATIONAL DAY OF PRAYER AND FASTING.**

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

S. RES. 91

Whereas the President has sought the support of the international community in responding to the threat of terrorism, violent extremist organizations, and states that permit or host organizations that are opposed to democratic ideals;

Whereas a united stance against terrorism and terrorist regimes will likely lead to an increased threat to the armed forces and law enforcement personnel of those states that oppose these regimes of terror, and that take an active role in rooting out these enemy forces;

Whereas Congress has aided and supported a united response to acts of terrorism and violence inflicted upon the United States, our

allies, and peaceful individuals all over the world;

Whereas President Abraham Lincoln, at the outbreak of the Civil War, proclaimed that the last Thursday in September 1861 should be designated as a day of humility, prayer, and fasting for all people of the Nation;

Whereas it is appropriate and fitting to seek guidance, direction, and focus from God in times of conflict and in periods of turmoil;

Whereas it is through prayer, self-reflection, and fasting that we can better examine those elements of our lives that can benefit from God's wisdom and love;

Whereas prayer to God and the admission of human limitations and frailties begins the process of becoming both stronger and closer to God;

Whereas becoming closer to God helps provide direction, purpose, and conviction in those daily actions and decisions we must take;

Whereas our Nation, tested by civil war, military conflicts, and world wars, has always benefited from the grace and benevolence bestowed by God; and

Whereas dangers and threats to our Nation persist, and in this time of peril it is appropriate that the people of the United States, leaders and citizens alike, seek guidance, strength, and resolve through prayer and fasting: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) March 17, 2003, should be designated as a day for humility, prayer, and fasting for all people of the United States; and

(2) all people of the United States should—

(A) observe this day as a day of prayer and fasting;

(B) seek guidance from God to achieve greater understanding of our own failings;

(C) learn how we can do better in our everyday activities; and

(D) gain resolve in how to confront those challenges which we must confront.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 262. Mr. HOLLINGS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Governments for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table.

SA 263. Mr. HOLLINGS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 262.** Mr. HOLLINGS submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . SENSE OF THE SENATE REGARDING A VALUE-ADDED TAX TO PAY THE COSTS OF WAR ON IRAQ.**

It is the sense of the Senate that the recommended levels and amounts in section 101 assume a 2 percent value added tax to pay