

of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil and illegal shipments of weapons and other military items to Iraq, and by so doing hold Syria accountable for the serious international security problems it has caused in the Middle East, and for other purposes.

SA 2149. Mr. FRIST (for Mr. BOND) submitted an amendment intended to be proposed by Mr. FRIST to the bill S. 286, to revise and extend the Birth Defects Prevention Act of 1998.

#### TEXT OF AMENDMENTS

**SA 2148.** Mr. LUGAR (for himself, Mrs. BOXER, and Mr. SANTORUM) proposed an amendment to the bill H.R. 1828, to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil and illegal shipments of weapons and other military items to Iraq, and by so doing hold Syria accountable for the serious international security problems it has caused in the Middle East, and for other purposes; as follows:

On page 2, strike lines 8 through 15.

On page 9, strike lines 21 through 24.

On page 15, line 1, strike "will be held responsible" and insert "should bear responsibility".

On page 15, beginning on line 6, strike "shall impede Syria's ability" and insert "will work to deny Syria the ability".

On page 15, strike lines 18 through 20.

On page 16, line 17, insert after "citizen in Iraq" the following: "if the Government of Syria is found to be responsible".

On page 18, strike lines 15 through 20 and insert the following:

(b) **WAIVER.**—The President may waive the application of subsection (a)(1), (a)(2), or both if the President determines that it is in the national security interest of the United States to do so and submits to the appropriate congressional committees a report containing the reasons for the determination.

On page 20, beginning on line 6, strike "withdrawn all Syrian military, intelligence, and other security personnel from Lebanon" and insert "ended its occupation of Lebanon described in section 2(7) of this Act".

On page 21, beginning on line 15, strike "the attacks against the United States that occurred on September 11, 2001, and other".

On page 21, beginning on line 20, strike "given the recognition that Hizbullah is equally or more capable than al Qaeda" and insert "and other terrorist organizations supported by Syria".

**SA 2149.** Mr. FRIST (for Mr. BOND) submitted an amendment intended to be proposed by Mr. FRIST to the bill S. 286, to revise and extend the Birth Defects Prevention Act of 1998; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Birth Defects and Developmental Disabilities Prevention Act of 2003".

#### SEC. 2. NATIONAL CENTER ON BIRTH DEFECTS AND DEVELOPMENTAL DISABILITIES.

Section 317C of the Public Health Service Act (42 U.S.C. 247b-4) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (A)—

(i) by striking "and developmental disabilities" and inserting "developmental disabilities, and disabilities and health"; and

(ii) by striking "subsection (d)(2)" and inserting "subsection (c)(2)";

(B) in subparagraph (B), by striking "and" at the end;

(C) in subparagraph (C), by striking the period and inserting a semicolon; and

(D) by adding at the end the following:

"(D) to conduct research on and to promote the prevention of such defects and disabilities, and secondary health conditions among individuals with disabilities; and

"(E) to support a National Spina Bifida Program to prevent and reduce suffering from the Nation's most common permanently disabling birth defect.";

(2) by striking subsection (b);

(3) in subsection (d)—

(A) by striking paragraph (1) and inserting the following:

"(1) contains information regarding the incidence and prevalence of birth defects, developmental disabilities, and the health status of individuals with disabilities and the extent to which these conditions have contributed to the incidence and prevalence of infant mortality and affected quality of life";

(B) in paragraph (3), by inserting "developmental disabilities, and secondary health conditions among individuals with disabilities" after "defects";

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

(D) by redesignating paragraph (5) as paragraph (7); and

(E) by inserting after paragraph (4) the following:

"(5) contains information on the incidence and prevalence of individuals living with birth defects and disabilities or developmental disabilities, information on the health status of individuals with disabilities, information on any health disparities experienced by such individuals, and recommendations for improving the health and wellness and quality of life of such individuals;

"(6) contains a summary of recommendations from all birth defects research conferences sponsored by the Centers for Disease Control and Prevention, including conferences related to spina bifida; and";

(4) by redesignating subsections (c), (d), and (e) as subsections (b), (c), and (d), respectively;

(5) by inserting after subsection (d) (as so redesignated), the following:

"(e) **ADVISORY COMMITTEE.**—Notwithstanding any other provision of law, the members of the advisory committee appointed by the Director of the National Center for Environmental Health that have expertise in birth defects, developmental disabilities, and disabilities and health shall be transferred to and shall advise the National Center on Birth Defects and Developmental Disabilities effective on the date of enactment of the Birth Defects and Developmental Disabilities Prevention Act of 2003.";

(6) in subsection (f), by striking "\$30,000,000" and all that follows and inserting "such sums as may be necessary for each of fiscal years 2003 through 2007.".

#### SEC. 3. TECHNICAL CORRECTIONS FOR STATE COUNCILS ON DEVELOPMENTAL DISABILITIES.

(a) **IN GENERAL.**—Section 122(a) of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15022(a)) is amended—

(1) in paragraph (3)(A)(ii), by inserting before the period the following: "the amount received by the State for the previous year, or the amount of Federal appropriations re-

ceived in fiscal year 2000, 2001, or 2002, whichever is greater"; and

(2) in paragraph (4)(A)(ii), by inserting before the period the following: "the amount received by the State for the previous year, or the amount of Federal appropriations received in fiscal year 2000, 2001, or 2002, whichever is greater".

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on October 1, 2003 and apply to allotments beginning in fiscal year 2004.

#### SEC. 4. REPORT ON SURVEILLANCE ACTIVITIES.

Not later than 18 months after the date of enactment of this Act, the Secretary of Health and Human Services jointly with the Secretary of Education shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce and Committee on Education and the Workforce of the House of Representatives a report concerning surveillance activities under section 102 of the Children's Health Act of 2000 (Public Law 106-310), specifically including—

(1) a description of the current grantees under the National Autism and Pervasive Developmental Disabilities Surveillance Program and the Centers of Excellence in Autism and Pervasive Developmental Disabilities the data collected, analyzed, and reported under such grants, the sources of such data, and whether such data was obtained with parental consent as required under the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g);

(2) a description of current sources of data for the surveillance of autism and developmental disabilities and the methods for obtaining such data, including whether such data was obtained with parental or patient consent for disclosure;

(3) an analysis of research on autism and developmental disabilities with respect to the methods of collection and reporting, including whether such research was obtained with parental or patient consent for disclosure;

(4) an analysis of the need to add education records in the surveillance of autism and other developmental disabilities, including the methodological and medical necessity for such records and the rights of parents and patients in the use of education records (in accordance with the Family Educational Rights and Privacy Act of 1974);

(5) a description of the efforts taken by the Centers for Disease Control and Prevention to utilize education records in conducting the surveillance program while obtaining parental or patient consent for such education records, including the outcomes of such efforts;

(6) a description of the challenges provided to obtaining education records (in the absence of parental or patient consent) for the purpose of obtaining additional surveillance data for autism and other developmental disabilities; and

(7) a description of the manner in which such challenges can be overcome, including efforts to educate parents, increase confidence in the privacy of the surveillance program, and increase the rate of parental or patient consent, and including specific quantitative and qualitative justifications for any recommendations for changes to existing statutory authority, including the Family Educational Rights and Privacy Act of 1974.

#### NOTICES OF HEARINGS/MEETINGS

(At the request of Mr. MCCONNELL, the following statement was ordered to be printed in the RECORD.)

## COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I announce that the Committee on Indian Affairs will meet on Thursday, November 13, 2003, at 10 a.m., in room 485 of the Russell Senate Office Building to conduct a business meeting to consider S. 1529, the Indian Gaming Regulatory Act amendments of 2003; S. 1721, the American Indian Probate Reform Act of 2003; and S. Res. 248, a resolution expressing the sense of the Senate concerning the Individual Indian Money Account Trust Funds lawsuit.

Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

## PRIVILEGES OF THE FLOOR

Mr. AKAKA. Mr. President, I ask unanimous consent that Ms. Carol Madonna, a legislative fellow at my personal office, be permitted the privilege of the floor during consideration of the conference report on H.R. 1588, the Defense authorization bill for fiscal year 2004.

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

Mr. DAYTON. I ask unanimous consent that LTC Gregg Blanchard, a military fellow in my office, be given floor privileges for the rest of this debate.

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

Mr. FRIST. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

## DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2004

Mr. FRIST. Mr. President, I now move to proceed to Calendar No. 267, H.R. 2861, VA-HUD appropriations bill.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

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

The assistant legislative clerk read as follows:

A bill (H.R. 2861) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes.

Mr. FRIST. I now ask unanimous consent that Senate resume consideration of the bill at 9:30 tomorrow morning.

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

ORDERS FOR WEDNESDAY,  
NOVEMBER 12, 2003

Mr. FRIST. Mr. President, I ask unanimous consent that at 2:15 p.m. on

Wednesday there be 20 minutes equally divided for debate prior to a vote on the adoption of the conference report to accompany the Department of Defense authorization bill; provided further that immediately following that vote, the Senate proceed to a vote on the adoption of the conference report to accompany H.R. 2559, the Military Construction appropriations bill.

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

UNANIMOUS CONSENT REQUEST—  
H.R. 7

Mr. FRIST. I ask unanimous consent the Senate proceed to the immediate consideration of H.R. 7, the Charitable Giving bill. I further ask unanimous consent that all after the enacting clause be stricken; that the Snowe amendment and the Grassley-Baucus amendment which are at the desk be agreed to en bloc; that the substitute amendment which is the text of S. 476, the Senate-passed version of the Charitable Giving bill as amended by the Snowe and Grassley and Baucus amendments, be agreed to; that the bill as amended be read a third time and passed; that the motion to reconsider be laid upon the table; further, that the Senate insist upon its amendments and request a conference with the House; and lastly, that the Chair be authorized to appoint conferees with the ratio of 3 to 2; and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection? The Senator from Nevada.

Mr. REID. Reserving the right to object, Mr. President, we have heard a lot on our side about the CARE Act. Let me say we are strongly committed to it. We have worked with the majority on a bipartisan basis to avoid the policy disagreements and pass a bill that increases the resources desperately needed by the charitable community.

We strongly support the vital funding for the Social Services Block Grant. The Senate bill restores the Social Services Block Grant to full funding of \$2.8 billion. However, the House provides no such provision.

These grants are used to fund a range of social services, with recipients ranging from children in need of day care or protective services, to elderly or disabled individuals in need of home-delivered meals.

These funds today are urgently needed. We have heard from organizations across the country and across the political spectrum that tell us how important this money is, including: America needs a powerful mobilization of civic energies and a substantial increase in resources, public and private, to confront widespread poverty and social problems. We also need closer and more effective collaboration between the Government and this country's community organizations.

It is because of our strong commitment to this funding and our concern

about what has been happening in conferences that we are here today. Democrats believe that through prompt passage of the reconciled CARE and Charitable Giving Acts, Congress will provide the leadership to translate these concerns to action.

Therefore, Mr. President, I ask consent that the leader would modify his request to provide for all the provisions of his request, except the portion on going to conference. We stand ready now to pass this bill and send it to the House, just as we have done on several bills in the past week—for example, the military tax bill. Just today we amended and passed the Syrian Accountability Act. It is not unusual for the Senate to send a measure to the House with an amendment, just as we are now suggesting with respect to H.R. 7.

The PRESIDING OFFICER. Does the majority leader modify his request?

Mr. FRIST. Mr. President, I object to the proposed modification.

The PRESIDING OFFICER. Objection is heard with respect to the proposed modification.

Mr. REID. I object to the leader's request.

The PRESIDING OFFICER. Objection is heard to the unanimous consent request.

## VETERANS DAY 2003

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 264, a sense-of-the-Senate resolution regarding Veterans Day, which was introduced earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 264) expressing the sense of the Senate regarding Veterans Day 2003.

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

Mr. FRIST. Mr. President, November 11 was originally known as Armistice Day to celebrate the end of World War I. In 1938, Congress declared November 11 a national holiday in the hopes that the world would never ever again see a battle so fierce and so devastating as that First World War, but that was not to be.

Only a few years later, World War II broke out in Europe. America would lose 407,000 servicemen in battle. Henceforth, the movement began to recognize our heroes in uniform.

In 1954, President Eisenhower proclaimed November 11 Veterans Day. He told the Nation at that time that it was his "earnest hope that all veterans, their organizations, and the entire citizenry will join hands to ensure proper and widespread observance of this day."

Today, nearly 50 years later, we join hands to pay tribute to that very special group of people who have brought our country such honor, whose courage and whose sacrifice have secured our