

United States Senate  
Office of the Democratic Leader  
Washington, DC 20510-7010

## Democratic Leadership Bills in the 108<sup>th</sup> Congress

This packet provides summaries of the following twelve bills to be introduced by the Democratic Leader and members of the Senate Democratic Caucus on Tuesday, January 7, 2003:

- S. 6: *The Comprehensive Homeland Security Act of 2003*
- S. 7: *The Prescription Drug Benefit and Cost Containment Act of 2003*
- S. 8: *The Educational Excellence for All Learners Act of 2003*
- S. 9: *The Pension Protection and Expansion Act of 2003*
- S. 10: *The Health Care Coverage Expansion and Quality Improvement Act of 2003*
- S. 16: *The Equal Rights and Equal Dignity for Americans Act of 2003*
- S. 17: *The Global Climate Security Act of 2003*
- S. 18: *The Right Start for Children Act of 2003*
- S. 19: *The Veterans and Military Personnel Fairness Act of 2003*
- S. 20: *The Fair Minimum Wage Act of 2003*
- S. 21: *The Emergency Disaster Assistance Act of 2003*
- S. 22: *The Justice Enhancement and Domestic Security Act of 2003*

## S. 6: The Comprehensive Homeland Security Act of 2003 Summary

*The Comprehensive Homeland Security Act of 2003* would address numerous existing vulnerabilities in our homeland security defenses. The bill, which includes many legislative initiatives supported by Senate Democrats in the 107<sup>th</sup> Congress, has the following components:

- **First responders.** The *First Responder Partnership Grant Act of 2003*, based on various first responder-related bills supported by Democrats in the 107<sup>th</sup> Congress, would authorize grants to states, local governments, and Indian tribes to support law enforcement officers, firefighters, and emergency rescue personnel in their efforts to protect homeland security and respond to acts of terrorism. The bill would authorize \$4 billion in additional assistance for each of Fiscal Years 2003 to 2005.
- **Firefighters.** Based on the *Staffing For Adequate Fire And Emergency Response (SAFER) Act* (S.1617 in the 107<sup>th</sup> Congress), the bill would authorize matching grants of \$1 billion in 2003 and similar amounts each year through 2009 to cover up to 75 percent of costs to states, local governments, tribal organizations, or other public entities to hire firefighters.
- **Domestic nuclear security.** Based on the *Enhancing Security of Domestic Nuclear Facilities* (S.1746 in the 107<sup>th</sup> Congress), the bill would establish a task force to conduct a top-to-bottom review of nuclear security concerns; create a program of technical aid and training for National Guard, state and local law enforcement, and first responders; upgrade security at nuclear power plants and provide new protections against theft of radioactive materials that could be used in “dirty bombs;” authorize private security guards to carry prescribed firearms and make arrests of persons attempting to penetrate or damage power plants; and authorize such sums as necessary to carry out these provisions.
- **Rail security.** Based on the *Rail Security Act* (S.1550 in the 107<sup>th</sup> Congress), the bill would authorize AMTRAK to carry out \$515 million in system-wide security upgrades, including hiring and training of additional police officers and surveillance equipment; 777 million for the completion of New York tunnel safety projects and the rehabilitation of tunnels in Washington, DC and Baltimore; and \$101 million for increased safety at Penn Station. The bill would direct the Secretary of Transportation to assess and report on the security risks associated with rail transportation and develop recommendations to improve rail security.
- **Water security.** Based on the *Wastewater Treatment Works Security and Safety Act* (S. 3037 in the 107<sup>th</sup> Congress), the bill would require certain water treatment works to assess their vulnerability to terrorist attacks and develop emergency response plans. The bill would authorize the Environmental Protection Agency (EPA) to review such plans, to make grants to water treatment works to complete vulnerability assessments and emergency response plans and pay for the costs of basic security enhancements, and to research and review possible terrorist means of intentional disruption as well as alternative treatment processes should a disruption occur.

- **Border Security.** The bill would authorize the Attorney General to add at least 250 full-time Immigration and Naturalization Service (INS) inspectors and support staff for each of the Fiscal Years 2003-2006 over the number authorized in the USA PATRIOT Act, and authorize \$250 million for the INS to make improvements in technology for improving border security and expanding and improving technology for border security.
- **Combating bioterrorism.** The bill would authorize an additional \$4.7 billion above the Fiscal Year 2003 level, including a \$2.4 billion increase for the Centers for Disease Control (CDC) (for public health preparedness, CDC labs and personnel, aid to states for vaccination programs, and perhaps additional funding for a smallpox compensation fund); an additional \$1.5 billion to improve hospital preparedness for biological and chemical weapons attacks; an additional \$600 million for NIH, including additional funds for bioterrorism research and anthrax vaccine procurement; and \$150 million to the FDA for food safety and vaccines.
- **Upgrading Homeland Defense and Information Security.** The bill would establish in the Treasury an Information Technology Fund to provide \$1 billion in 2003 on projects to improve the federal government's information security systems, protect critical infrastructure, and improve communication between federal agencies and between the federal, state, and local governments. The bill would require the OMB Director to establish procedures for accepting and reviewing proposals for funding such projects. It would also require OMB to establish a comprehensive enterprise architecture for information systems that achieves interoperability between and among federal agencies responsible for homeland security. The bill would include bipartisan compromise language on the Freedom of Information Act (FOIA) stripped from the final Department of Homeland Security bill, and strike exceptions to the Federal Advisory Committee Act (FACA) for the Department.
- **Reducing Threats Posed By Weapons Of Mass Destruction.** The bill would authorize the use of non-proliferation funding for programs outside the states of the Former Soviet Union (FSU). The bill would authorize \$50 million to secure and/or remove radioactive material that could be used in dirty bombs from locations in Russia, states of the former FSU, and elsewhere; \$40 million to strengthen the International Atomic Energy Agency (IAEA); \$50 million to improve Russian and FSU border and export controls; \$60 million to help Russia's nuclear scientists and facilities transition to peaceful use; \$25 million for monitoring, securing and dismantling Russia's tactical nuclear; and \$40 million to improve security at Russia's chemical and biological facilities.
- **Director Of National Intelligence.** Based on the *Intelligence Community Leadership Act of 2002* (S.2645 in the 107<sup>th</sup> Congress) and the recommendations of the Senate and House Intelligence Committee's joint investigation into the September 11 attacks, the bill would establish the Office of Director of National Intelligence and invest the Office with powers to provide intelligence to the President, the Chairman of the Joint Chiefs of Staff, and other federal agencies as appropriate, and to develop an annual budget for all intelligence and intelligence-related activities.

- **Chemical security.** Based on S. 1602 (107<sup>th</sup> Congress), the *Chemical Security Act of 2001*, the bill would direct the Environmental Protection Agency (EPA), in consultation with the Department of Justice, to identify high-priority chemical facilities based on the severity of the threat they pose and their proximity to population centers. Each high-priority chemical facility would be required to conduct a vulnerability assessment within a year of the promulgation of regulations and then submit response plans for improving security and using safer technology six months later. These plans would be submitted to the EPA.
- **Homeland security spending rejected by the Administration.** H.R. 4775 (107<sup>th</sup> Congress), the *Emergency Supplemental Appropriations Act*, contained \$2.5 billion in spending for homeland security, the enactment of which was contingent on a designation by President Bush that these funds are an emergency. President Bush declined to do so. The bill would extend, until February 2, 2003, the opportunity for the President to spend these funds, which include: \$100 million in grants to make police and fire communications equipment interoperable, \$125 million for port security grants, \$555 million to help small and medium-sized airports meet increased security standards, \$151 million for state and local law enforcement, \$165 million for food and water security, \$128 million for cybersecurity improvements, \$108 million for dam and reservoir security, \$78 million for border security, and \$39 million for customs service.
- **Law enforcement.** The bill would authorize \$1.15 billion per year for 6 years to continue and modernize the COPS program. This amount includes \$600 million per year for police hiring grants, \$350 million per year for law enforcement grants, and \$200 million per year for community prosecutor grants. The bill would also authorize \$15 million per year for 5 years to help rural communities retain officers hired through the COPS program for an additional year.

## **S. 7: The Prescription Drug Benefit and Cost Containment Act of 2003 Summary**

Prescription drug spending has been increasing at double-digit rates for the past several years, making drugs increasingly unaffordable. To address this problem, the *Prescription Drug Benefit and Cost Containment Act* creates an affordable, comprehensive Medicare drug benefit and lowers costs for all Americans by increasing access to lower-priced drugs. The bill also improves children's health by providing for the assessment of the safety and effectiveness of drugs for children.

## **The Medicare Drug Benefit**

The bill creates a voluntary, comprehensive drug benefit in Medicare for all beneficiaries, no matter where they live or how much money they make. Major features of the benefit include:

- a fixed \$25 monthly premium for all beneficiaries;
- no deductible;
- continuous coverage with reasonable cost-sharing;
- a stop-loss when beneficiary drug expenses reach \$3,700;
- coverage of all medically-necessary drugs, even if they are not on the plan's formulary;
- access to local pharmacies;
- protection of existing drug coverage with a subsidy for continued coverage;
- assistance for rural and hard-to-serve areas to ensure access for local beneficiaries; and
- full coverage of premiums and cost-sharing for beneficiaries with incomes up to 135% of poverty (\$11,961 for individuals, \$16,119 for couples) and assistance for beneficiaries up to 175% of poverty (\$15,505 for individuals, \$20,895 for couples).

## **Addressing High Drug Costs**

To eliminate the delay strategies brand-name drug companies use to keep lower-cost generic drugs from reaching consumers, the bill eliminates loopholes in the Hatch-Waxman patent rules. The bill clarifies that states can extend Medicaid rebates and discounts for prescription drugs to their residents who lack drug coverage. The bill also allows pharmacists, wholesalers, and consumers to import drugs from Canada at a lower price than they can find in the United States.

## **Safe Drugs for Children**

Because drugs can affect children differently from adults, the bill requires manufacturers to study the effects of drugs and biologicals on children to determine safety, effectiveness, and proper dosages.

## **S. 8: The Educational Excellence for All Learners Act of 2003 Summary**

A well-educated workforce is essential for a strong economy, a functional democracy, and a secure homeland.

## **Funding Education Reform and Modernizing School Facilities**

The Educational Excellence for All Learners Act calls for full funding for the education reform, as called for in No Child Left Behind Act. It would:

- fully fund the Title I program for disadvantaged children;
- increase resources for recruiting, hiring, and training qualified teachers by 23 percent;
- increase funding for programs serving English language learners by 80 percent;
- double funding for after-school programs;
- expand access to advanced placement classes, tutoring, distance education;
- increase resources to make schools safe and drug-free by more than 40 percent;
- provide \$125 million for drop-out prevention programs; and
- provide \$300 million for rural education.

It also creates a student bill of rights to improve educational equity.

The bill would guarantee full federal support for the Individuals with Disabilities Education Act (IDEA) in 6 years.

This legislation would help communities modernize public school facilities by establishing \$25 billion in federal school construction bonds.

## **Making Higher Education More Accessible and Affordable**

The Educational Excellence for All Learners Act would significantly expand access to college and increase diversity by strengthening TRIO and GEAR UP programs and doubling support for institutions that serve minority populations including Historically Black Colleges and Universities, Hispanic Serving Institutions, and Tribal Colleges and Universities. S. 8 also incorporates S. 1291 (107<sup>th</sup> Congress), the Dream Act, to permit States to determine state residency for higher education purposes and to provide alien college-bound students with the opportunity to obtain legal status if they have good moral character, have been in the U.S. for more than five years, and are at least 12 years old on the date of enactment.

The bill would make college more affordable by increasing the maximum Pell grants to \$4500, fully funding the Pell shortfall, making the Hope Scholarship and the Lifetime Learning tax credits refundable, and phasing out student loan origination fees.

## **S. 9: The Pension Protection and Expansion Act of 2003**

### **Summary**

#### **Strengthened Pension Protections**

- **Diversification:** One of the main lessons of the Enron debacle was that too many people had most of their retirement nest egg in one basket – company stock. Under the legislation, 401(k) participants with three years of service could sell their employer stock to diversify their holdings. If employer stock is at least 20 percent of an account’s value, the plan would be required to notify participants that they may be overinvested in employer stock. Each year, companies would be required to make sure including company stock in the pension plan is a prudent investment for their workers. In addition, 401(k) sponsors could provide matching contributions in employer stock, or provide employer stock as an employee option, but not both, unless they also protect workers through a traditional, guaranteed pension plan.
- **Accountability:** Insiders would have increased liability for breaches of fiduciary responsibility. Bonding and insurance requirements would increase for plans that hold employer securities. S. 9 would expand protections for whistleblowers who bring to light corporate malfeasance.
- **Joint Trusteeship:** Employer plans would be required to have trustees that represent employers and participants on an equal basis. Unions that represent plan participants would have the right to designate the trustees who represent participants.
- **Investment Advice:** The bill would expand the ability of 401(k) participants to receive investment advice but require that the advice be independent.
- **Women’s Pension Protections:** The bill would require spousal consent for distributions from defined contribution plans. Plans that provide a lifetime annuity option would be required to offer an annuity that covers surviving spouses. The bill would also protect the rights of widows, widowers and former spouses under government retirement programs.
- **Cash Balance Plan Protections:** Companies that convert their existing plans to a cash balance plan would be required to give current participants the option of continuing to accrue benefits under the existing plan.
- **Investment Education and Information:** Most workers would be assured quarterly statements of their account balances and benefits. Workers purchasing company stock through their pension plans would have the same rights as shareholders buying company stock on the open market, including the right to vote shares and to receive material information about the economic condition of the company. Every year, workers would receive materials to expand financial literacy and to help them figure out how much they need to save for retirement.

#### **Expanded Pension Coverage**

The main pension problem facing the country is that half of our people do not have any pension.

- **Savers Credit:** The bill would make the Savers Credit refundable so that low-income people, who disproportionately lack pensions, would be able to use it.
- **Payroll Deduction IRA:** The bill would require businesses with more than 10 employees that do not offer a pension plan to allow employees to fund an IRA through payroll deductions.
- **Small Business Pension Tax Credit:** To encourage the establishment of more pension plans, the bill would give small business a tax credit for their contributions to new pension plans.

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### **Corporate Tax Shelters, Corporate Inversions, and Executive Compensation**

- **Corporate Tax Shelters:** In addition to strengthening the Treasury Department’s tax enforcement regime, the shelters provision would clarify the so-called “economic substance doctrine,” which the courts have developed to deny certain tax-motivated transactions their intended tax benefits.
- **Corporate Inversions:** The bill would prevent companies from re-incorporating in tax haven countries to avoid U.S. taxes.
- **Executive Compensation:** The bill would remove the longstanding moratorium on new Treasury regulations regarding deferred executive compensation. It also would prohibit the deferral of compensation parked in offshore trusts and increases withholding on bonuses. The bill would clarify the definition and tax treatment of executive loans.

## **S. 10: The Health Care Coverage Expansion and Quality Improvement Act of 2003**

### **Summary**

Improving the quality of health care and expanding access to health coverage are two critical Democratic priorities. The *Health Care Coverage Expansion and Quality Improvement Act* aims to fulfill these goals by enhancing and protecting access to public and private health coverage and improving the quality of care that health care providers deliver. These proposals – many of which have enjoyed bipartisan support – provide much-needed and long-awaited improvements to our health care system.

### **Expanding and Protecting Health Coverage**

**FamilyCare Health Coverage.** The bill gives states the flexibility to provide health coverage to uninsured parents who have children eligible for Medicaid and the State Children’s Health Insurance Program (SCHIP). In addition, the bill gives states the option of covering pregnant women and children through age 20. The bill also increases SCHIP funding and ensures that SCHIP funds that are scheduled to revert to the Treasury remain in the SCHIP program.

**Allowing States to Cover Legal Immigrants.** The bill allows states to cover legal immigrant children, parents, and pregnant women under Medicaid and SCHIP.

**Small Business Tax Credit.** Because small businesses have an especially difficult time providing health insurance to their workers, this bill provides a tax credit to small businesses that offer health coverage to their employees. The credit targets uninsured workers by covering the categories of firms that most frequently do not offer coverage while at the same time allowing for firm growth.

**Family Opportunity Act.** Many children with significant disabilities do not have access to comprehensive health services because their insurance does not cover the care they need. Their parents often forgo better jobs in order to remain eligible for coverage of these services under Medicaid. This bill gives states the option to allow families of children with disabilities to purchase Medicaid coverage, helping parents care for their children while accepting better jobs.

**Temporary Fiscal Relief for States.** To balance their budgets, many states are reducing Medicaid spending. This bill will help states avoid scaling back Medicaid eligibility and benefits by providing \$10 billion through a temporary increase in the federal Medicaid matching rate.

**Improving the Medicaid and SCHIP Waiver Process.** To address concerns that administrative waivers to SCHIP and Medicaid will result in scaled-back benefits and enrollment of children, this bill limits the use of SCHIP funds for childless adults and requires adequate opportunity for the public to learn about and comment on pending waivers.

**Funding for Indian Health.** The federal government is failing to meet its obligation to provide Native Americans with adequate health care, leading to rationing and the denial of even the most basic medical care. This bill provides for full funding of Indian health programs by increasing the overall funding level and determining future funding on a per capita basis adjusted for inflation.

### **Improving Health Care Quality**

**Patients' Bill of Rights.** When patients become ill, they should not have to worry about whether their health plan will deny necessary patient care. This bill ensures that doctors – not insurance company bureaucrats – decide what is medically necessary and that patients have the right to see a medical specialist and go to the closest emergency room. The bill ensures that patients can access a fair and independent appeals process if care is denied and hold their health plan accountable in court for harm done.

**Mental Health Parity.** Many mental illnesses can be treated as effectively as other illnesses, but health insurers frequently impose higher cost-sharing and more benefit restrictions on mental health services. This bill levels the playing field by prohibiting group health plans that cover mental illness from imposing annual or lifetime dollar limits on mental health benefits that differ from the limits the plan imposes on medical and surgical benefits.

**Patient Safety.** The Institute of Medicine has estimated that between 44,000 and 98,000 people die each year in hospitals as a result of medical errors. This bill creates a new national system for voluntary reporting and analysis of medical errors and patient safety incidents, and the development of strategies to prevent and reduce medical errors.

## **S. 16: The Equal Rights and Equal Dignity for Americans Act of 2003 Summary**

Democrats believe we must remain steadfast in our commitment to civil rights. The *Equal Rights and Equal Dignity for Americans Act* includes measures to expand hate crimes protections, strengthen the enforcement of existing civil rights laws, support legal representation for indigent Americans, reform Indian Trust management, respond to the injustice of racial profiling, address the pay inequities between men and women, prohibit employment discrimination based on sexual orientation, prohibit genetic discrimination in employment and health insurance, protect individual's medical information, prohibit military and civilian personnel from collecting intelligence information about U.S. citizens, and fully fund the election reforms passed last year.

**Title I – Local Law Enforcement Enhancement Act.** The *Equal Rights and Equal Dignity for Americans Act* would expand current federal protections against hate crimes based on race, religion, and national origin; amend the criminal code to cover hate crimes based on gender, sexual orientation, and disability; authorize grants for State and local programs designed to combat and prevent hate crimes; and enable the federal government to assist State and local law enforcement in investigating and prosecuting hate crimes.

**Title II – Increase in Funding for Enforcing Civil Rights Laws.** Enforcing civil rights laws already in existence is an important component to any civil rights agenda. This title builds on our strong commitment by providing an increased investment in the agencies charged with enforcing the laws. The *Equal Rights and Equal Dignity for Americans Act* would authorize a five percent increase in appropriations levels for government agencies such as the Justice Department's Office of Civil Rights and the Equal Employment Opportunity Commission.

**Title III – Supporting Indigent Defense.** The Legal Services Corporation (LSC) provides legal representation for low-income individuals and families who would otherwise go unrepresented. This legislation would fund the LSC at \$400 million, which simply restores its funding to the FY 1994 level.

**Title IV – Indian Trust Asset and Trust Fund Management and Reform.** This legislation will focus attention on the need to address and correct the longstanding problem of inefficient management of the assets and funds held by the United States in trust for federally-recognized Indian tribes and individual American Indians. This legislation would Amend the American Indian Trust Fund Management Reform Act of 1994 by creating a Deputy Secretary of the Interior for Trust Management and Reform and an Office of Trust Reform Implementation and Oversight within the Department of the Interior. The Office of Trust Reform would require an accurate inventory of all trust properties, funds and other assets and ensure that account holders are informed of the status of their accounts. A tribal advisory component is built into the legislation to ensure that Indian tribes are given a say in how their funds are managed.

**Title V – Sense of the Senate on Racial Profiling.** While many dedicated law enforcement officials are committed to applying the law fairly, the actions of some police officials undermine this commitment. Across the country, too many motorists fear they will be stopped by law enforcement for no reason other than the color of their skin. Congress needs to enact a nationwide response to racial profiling.

Title V of this bill would express the Sense of the Senate that racial profiling is wrong and should end in America. It calls on Congress to enact legislation to ban racial profiling and to require federal, state, and local law enforcement to take steps to prevent this practice.

**Title VI – Paycheck Fairness.** Inequalities in pay affects millions of hard-working American families. To respond to the persistent pay gap, this legislation would eliminate loopholes discriminatory employers use to justify firings, prohibit employers from punishing employees for disclosing their wages to a co-worker, and toughen Equal Pay Act (EPA) remedies by allowing prevailing plaintiffs to recover compensatory and punitive damages.

**Title VII – Employment Non-Discrimination.** The *Equal Rights and Equal Dignity for Americans Act* would prohibit employment discrimination on the basis of sexual orientation and provide meaningful and effective remedies. It would also prohibit retaliation against employees for enforcing their rights under the legislation.

**Title VIII – Genetic Non-Discrimination.** This legislation would ensure that Americans are not subjected to genetic discrimination in health insurance or employment by prohibiting employers from using predictive genetic information to make decisions about hiring, advancement, salary or other workplace rights and privileges, and by prohibiting insurance companies from raising premiums or denying coverage based on genetic information. The *Equal Rights and Equal Dignity for Americans Act* also would require informed consent before genetic information is disclosed and permit individuals to seek relief in court if their rights are violated.

**Title IX – Protecting Americans’ Medical Privacy.** This legislation would address the troubling aspects of the Bush Administration’s rollback of the Clinton Administration regulation on medical privacy, including restoring the consent requirement and limiting how medical information can be used for marketing.

**Title X – Protecting Americans’ Privacy.** This legislation would prohibit any military or civilian employee of the Department of Defense from participating in the collection of information for intelligence or law enforcement purposes inside the United States about individuals who are United States citizens.

**Title XI – Election Reform.** Last Congress, Congress passed landmark election reform legislation that was meant to address the problems faced in the 2000 election. These important reforms will only achieve their full effect if the Congress also follows through with its commitment to fully fund these measures. The *Equal Rights and Equal Dignity for Americans Act* would provide full funding of the election reforms.

## **S. 17: The Global Climate Security Act of 2003 Summary**

The Global Climate Security Act of 2003 initiates several programs for the United States to begin responsibly addressing global climate change. The legislation includes a Sense of the Senate resolution calling on the Administration to make climate change a higher priority and to amend its research plan so

it is directed at solving the problem rather than questioning whether one exists. The resolution also calls on Congress to pass a multi-pollutant bill to reduce carbon dioxide, nitrogen oxide, sulfur dioxide and mercury emissions from power plants and to create and promote clean energy here and abroad.

The bill requires a national greenhouse gas emissions inventory and registry. The Environmental Protection Agency (EPA) would operate the emissions data collection program with mandatory reporting for all sources above EPA-determined threshold emissions levels. EPA currently operates a program to voluntarily register emissions reductions. The bill is nearly identical to S.1870 (107<sup>th</sup> Congress), the *National Greenhouse Gas Emissions Inventory and Registry Act of 2001*, sponsored by Senator Corzine.

The bill includes a Sense of Congress resolution that the U.S. must act to reduce emissions, create flexible international and domestic programs to reduce/avoid/sequester greenhouse gases, comply with United National Framework Convention on Climate Change commitments, and participate in developing a future binding climate change treaty. This language is almost identical to the version passed unanimously by the Senate Foreign Relations Committee in 107<sup>th</sup> Congress and is identical to the text of Title X, section 1001, of the Senate-passed energy bill.

The bill establishes a Rio Agreement Commission with 11 members (three appointed by the President, four by the Senate Majority and Minority Leaders, and four by the Speaker of the House and Minority Leader – or all by the National Academy of Sciences if Congress does not confirm the nominees within a short timeframe) to develop legislation for adopting cost-effective and technologically feasible measures that will reduce net greenhouse gas emissions in the U.S. and elsewhere below levels that would otherwise result in a doubling of greenhouse gas concentrations beyond 1870/pre-industrial levels. The commission's report is due on June 1, 2004.

The bill would include the following additional provisions:

- On October 1, 2004 and every four years afterward, the President must submit an assessment of the negative impacts on the U.S. associated with global warming and climate change.
- Every March 1, starting no later than 2004, the President must issue a report describing the funding for all policies and programs that the U.S. has adopted in the previous year aimed at reducing greenhouse gas emissions to 1990 levels, and the requested amounts for the upcoming year.
- National Environmental Policy Act-mandated analyses (e.g. Environmental Impact Statements) must consider how a federal project or action may change greenhouse gas emissions and be affected by climate changes in the long and short terms.
- By 2004, the President must take necessary actions to reduce the federal government's greenhouse gas emissions to 1990 levels by the year 2013, and must report by July 2005 on the most cost-effective policy options for the federal government to reduce its net greenhouse gas emissions to zero by 2025.

- Resolution urging the Securities and Exchange Commission to clarify that existing regulations and interpretive releases require that publicly traded firms inform shareholders of the financial exposure risks due to their net greenhouse gas emissions and the potential economic impacts of global warming on the assets of the firms.
- By 2005, the Department of Commerce and other federal agencies must develop a methodology for determining the greenhouse gases emitted in the production and delivery of goods and service imported in the U.S. Such methodology should be specific enough for use in establishing tariffs or import fees on such products, in the event that the U.S. adopts a binding commitment to reduce greenhouse gas emissions.
- By June 2004, and annually thereafter, the Department of Commerce and other federal agencies must report to Congress on trade, economic, and technology innovation effects of the failure, if any, on the part of the U.S. to adopt policies and measures to reduce total greenhouse gas emissions in the U.S.
- Authorizes \$2 billion annually for grants to states or local governments for: collection of greenhouse gas data collection/inventory/trading systems; emissions reduction or sequestration projects; and research/planning/modeling efforts. Fifty percent of the grants will be awarded competitively based on greatest and swiftest emissions reductions.
- By 2004, the Department of Treasury and other relevant federal agencies must submit a report to Congress on changes to the tax code that would result in reducing greenhouse gas emissions in the U.S. below levels that would otherwise cause a doubling of such gases' concentrations in the atmosphere.

## **S. 18: The Right Start for Children Act of 2003 Summary**

Children who get off to a good start in life, with access to health care, appropriate child development and pre-school activities, and good nutrition are more likely to be ready for school, and to become productive, contributing adults.

### **Investing in Head Start**

Research confirms that age-appropriate stimulation can have a beneficial effect on child development. Unfortunately, some children start out behind, both in learning and in access to health care, nutrition, and other areas that are essential to making sure that every child is ready for school. Since 1965, Head Start has provided comprehensive pre-kindergarten experiences including education, health care, nutrition, and social services to millions of the nation's poorest children. Despite over 35 years of investment and a proven track record, Head Start still only reaches about three out of five eligible preschool-aged children.

The Right Start for Children Act would place Head Start back on track to full-funding by 2007. The Right Start for Children Act would increase authorization levels to \$7.5 billion in Fiscal Year 2004; \$8.2

billion in Fiscal Year 2005; \$9 billion in Fiscal Year 2006; \$9.8 billion in Fiscal Year 2007; and \$10.8 billion in Fiscal Year 2008. The bill would provide full funding for Head Start preschoolers and more than double the number of infants and toddlers who could be served by Early Head Start.

### **Improving the Affordability and Quality of Child Care for Working Families**

Increasing the quality and availability of child care is essential to enabling low-income parents to work and support their families while providing the early learning experiences children need to be ready for school. When child care is available and affordable, parents are more likely to work. Children in high-quality care score higher on reading and mathematics tests, are more likely to complete high school and go on to college, and are less likely to repeat a grade or get charged in juvenile court.

The Right Start for Children Act increases funding for the Child Care and Development Block Grant (CCDBG) by \$11.2 billion over five years. States would be able to serve approximately one million more children nationally. The bill more than doubles the current quality set-aside in the CCDBG from 4% to 10 percent. It also creates a 2% set-aside for Indian reservations and a new, separate set-aside for Puerto Rico.

### **Fighting Childhood Hunger and Promoting Healthy Eating Habits**

An estimated 61% of United States adults and 13% of children and adolescents are overweight or obese. The Right Start for Children Act would establish:

- a \$10 million grant program to provide training for health profession students on how to identify, treat, and prevent obesity;
- a \$40 million grant program to help communities implement programs to promote good nutrition and physical activities to prevent overweight and obesity; and
- a \$40 million grant program to develop and disseminate school-based curricula or programs that focus on a healthy lifestyle; and
- a study of federal food and nutrition assistance programs.

### **Supporting Services to Low-Income Families Through the Social Services Block Grant**

The Social Services Block Grant (SSBG) is a flexible block grant that addresses the needs of children and families, the elderly, and vulnerable adults, and helps them avoid more expensive government assistance by remaining in the community in the most independent setting possible. Restoring funding to the Social Services Block Grant is important as states struggle to balance their budgets. Because the program is used for child care in many states, Congress promised the governors to maintain funding for this program when we adopted welfare reform in 1996. Despite that promise, SSBG was raided several times. The Right Start for Children Act increases funding for the Social Services Block Grant to \$2.8 billion to minimize the impact of budget cuts on vulnerable families and ensure states have resources to help families making the transition from welfare to work.

## Expanding Family and Medical Leave

Since the enactment of the *Family and Medical Leave Act* (FMLA) of 1993, more than 35 million Americans have taken leave for family or medical reasons. While the leave provided by FMLA has proven to be a critical resource, too many people are unable to take advantage of its protections because they cannot afford to take unpaid leave. Taking leave from work without pay often causes financial hardship for families, causing almost 40% to delay paying bills and 9% to join the welfare rolls.

The Right Start for Children Act would establish five-year demonstration grants to state and local governments to help pay for projects that assist families by providing wage replacement for eligible individuals responding to caregiving needs resulting from the birth or adoption of a son or daughter or other family caregiving needs. The Right Start for Children Act also extends the *Family and Medical Leave Act* to workers in businesses with 25 to 50 employees. The bill would allow parents to take 24 hours of leave in a 12-month period to participate in academic activities at their children's school or attend literacy training activities. It also would allow individuals to take leave to deal with the effects of domestic violence, such as going to court or finding shelter.

### **S. 19: The Veterans and Military Personnel Fairness Act of 2003** **Summary**

As American military personnel are fighting the war on terrorism in Afghanistan and around the world, and are being called upon to prepare for a possible war in Iraq, it is vital that we honor the sacrifice made by previous generations of soldiers and address the needs of those currently being called to duty. The *Veterans and Military Personnel Fairness Act of 2003* includes:

**Full Concurrent receipt.** The bill would provide full concurrent receipt of military retirement and Department of Veterans Affairs (VA) disability payments. Concurrent receipt has passed the Senate the last three years, most recently as an amendment to the *Fiscal Year 2003 National Defense Authorization* bill. Despite a unanimous House vote to agree to the Senate amendment, the Bush Administration threatened to veto the bill over the issue. As a result of this threat, concurrent receipt was reduced to a special compensation available only to those who incurred a qualifying combat-related disability. It therefore excludes most disabled veterans and creates unnecessary bureaucracy for the VA and the Department of Defense, which currently do not make distinctions based on the specific cause of a service-connected disability.

**Mandatory funding for veterans' health care.** Based on S. 2903 (107<sup>th</sup> Congress), the *Veterans Health Care Funding Guarantee Act of 2002*, the bill would make available to the Secretary of Veterans Affairs funds for programs, functions, and activities of the Veterans Health Administration for Fiscal Year 2005 at 120 percent of the amount obligated for Fiscal Year 2003, and adjust the amount provided after Fiscal Year 2005 based on the number of veterans enrolled in the health care system and on the rate of health care inflation. The bill is intended to provide health care to the hundreds of thousands of veterans who are currently being placed on waiting lists for as long as three years and to prevent a recurrence of this problem.

**Eliminate bottlenecks for receipt of VA prescription drugs.** Veterans seeking to fill prescriptions are currently required – by VA regulations rather than medical necessity – to see a VA doctor first, even if they hold a prescription written by a private physician. As a result, veterans experience delays in filling their prescriptions, while the VA incurs unnecessary costs for medical examinations. The bill would remove this requirement, as recommended by the VA Inspector General.

**Tax fairness for military personnel.** The bill would address long-overdue tax reforms for National Guard and Reserve personnel, thousands of whom have been called to active duty since September 11, 2001, update the amount of a military death gratuity that is exempt from taxation, relax filing deadlines for troops involved in operations like peacekeeping, and allow military and foreign-service personnel to qualify more easily for a capital-gains exclusion when they sell their residence. Other provisions would clarify the tax treatment of military child care benefits and make it easier for veterans' organizations (such as a VFW or Legion post) to qualify for tax-exempt status. The bill is based on H.R. 5063 (107<sup>th</sup> Congress), the *Armed Forces Tax Fairness Act of 2002*, which was passed by the Senate last fall.

## **S. 20: The Fair Minimum Wage Act of 2003 Summary**

**The Fair Minimum Wage Act would raise the minimum wage by \$1.50 in two steps:**

- 1. \$0.75 sixty days after enactment.**
- 2. \$0.75 one year after that.**

- It has now been over six years since Congress voted to increase the minimum wage. In that time, the cost of living has increased 12%, while the real value of the minimum wage has steadily declined.
- Minimum wage employees working 40 hours per week, 52 weeks per year, earn \$10,700 annually, more than \$4,000 below the poverty line for a family of three. The current minimum wage fails to provide enough income to enable minimum wage workers to afford adequate housing in any area of the United States.
- Every day the minimum wage is not increased, it continues to lose value, and workers fall farther and farther behind. Minimum wage workers have already lost all of the gains of the 1996 increase.
- Today, the real value of the minimum wage is more than \$3.00 below what it was in 1968. To have the purchasing power it had in 1968, the minimum wage would have to be more than \$8 per hour today, not \$5.15.
- Seven million workers, many of whom are raising children, would directly benefit from the proposed minimum wage increase: 35% are their families' sole wage earners; 61% are women; 16% are African American; and 20% are Hispanic American.

- A \$1.50 increase for full-time, year-round workers would add \$3,000 to their income. A gain of \$3,000 would have an enormous impact on minimum wage workers and their families. It would be enough money for a low-income family of three to buy: over 15 months of groceries; over 8 months of rent; over 7 months of utilities; or tuition for a community college degree.
- History clearly shows that raising the minimum wage has not had any negative impact on jobs, employment, or inflation. In the four years after the last minimum wage increase passed, the economy experienced its strongest growth in over three decades. Nearly 11 million new jobs were added, at a pace of 218,000 per month. There were six million new service industry jobs, including more than one-and-a-half million retail jobs, of which nearly 600,000 were restaurant jobs.
- A fair increase is long overdue. Congress should act as quickly as possible to pass a minimum wage increase that reflects the losses suffered as the result of our shameful inaction in the past. No one who works for a living should have to live in poverty.

## **S. 21: The Emergency Disaster Assistance Act of 2003**

### **Summary**

Farmers and ranchers across the country were devastated by natural disasters this past year. In large parts of the country, severe drought withered thriving farm land. Reports are that the drought is the worst on record since the Dust Bowl of the 1930s. In other areas of the country, producers lost significant production because of flooding, disease, and untimely frosts. All told, producers lost billions of dollars over the past two years due to disaster, and many are on the verge of being forced off their land.

As in the past, Congress must act to help these individuals rebound from the losses resulting from natural disasters outside of their control. Last Congress, on three different occasions, the Senate took up and passed drought legislation to provide \$6 billion in emergency disaster assistance to producers across the country. The White House and leaders in the House of Representatives blocked this critical relief in the Farm Bill and during consideration of the appropriations bills.

Nevertheless, Senate Democrats remain committed to continuing to fight for this critical assistance. The *Emergency Disaster Assistance Act of 2003* provides the identical level of assistance that the Senate passed as part of its Farm Bill last February and as part of the Interior Appropriations bill on September 10, 2002 – by a vote of 79 to 16. The bill continues to provide assistance to producers through the tested Crop Disaster and Livestock Assistance programs that have been used to help disaster victims in previous years.

The sole change from what passed the Senate with 79 votes is that the new bill will also replenish funds that the Administration took from programs designed to feed impoverished urban, suburban, and rural residents. The Administration's approach is a continuation of USDA's patchwork response of half-measures and partial remedies to the drought, none of which came close to addressing the scope of need impacting farmers, ranchers, and rural Americans.

The bill is supported by more than 40 farm, ranch and rural organizations, including the American Farm Bureau Federation, the National Farmers Union, the National Wheat Growers Association, the National Cattlemen's Beef Association, the Rural Cattlemen's Action League Federation, and the American Soybean Association.

## **S. 22: The Justice Enhancement and Domestic Security Act of 2003**

### **Summary**

#### **Title I – Combating Terrorism and Enhancing Domestic Security**

This title will establish a first responders grant program to support public safety officers, fund additional Immigration and Naturalization Service personnel and technology improvements for border security, authorize the establishment of military tribunals to try the terrorists responsible for the September 11, 2001 attacks against the United States, and set penalties for terrorism-related hoaxes and false reports.

#### **Title II – Protecting America's Children and Seniors**

To protect America's children, this title will enhance the operation of the AMBER Alert communications network to facilitate the recovery of abducted children. It will provide new prosecutorial and investigative tools to assist Federal, State and local authorities in stopping child pornography. It will also reauthorize funding for the National Center for Missing and Exploited Children. To protect America's seniors, title II authorizes programs to combat nursing home fraud and abuse, increase protections for victims of telemarketing fraud, improve safeguards for pension plans and health care benefit programs, and enhance penalties for crimes against seniors.

#### **Title III – Deterring Identity Theft and Assisting Victims of Crime and Domestic Violence**

This title will help prevent the crime of identity theft and mitigate the harm to individuals victimized by such theft. It will also protect against the misuse of Social Security numbers. On the issue of victims' rights, title III enhances protections for victims of Federal crimes, assists the States in protecting victims of State crimes, and eliminates the cap on spending from the Crime Victims Fund. This title also provides transitional housing for victims of domestic violence and shelter services for battered women and children.

#### **Title IV – Supporting Law Enforcement and the Effective Administration of Justice**

To support law enforcement and the effective administration of justice, title IV extends the COPS program, which has funded over 114,000 new community police officers since 1994. This title also authorizes law enforcement improvement and training grants for rural communities, and increases grants to eliminate the backlog of untested DNA evidence in the Nation's crime labs. In addition, this title provides survivors benefits for public safety officers and retirement benefits for Federal prosecutors. Finally, this title makes important reforms to FBI policies on whistleblowers and other issues critical to our security.

**Title V – Combating Drug and Gun Violence**

Title V combats drug abuse and drug violence by providing funding for drug treatment, prevention, and testing programs. This title addresses gun violence by closing the gun show loophole, providing for ballistics testing and storage of ballistic records, expanding the Youth Crime Gun Interdiction Initiative, and extending Project Exile.

**Title VI – The Innocence Protection Act**

This title includes a set of commonsense reforms to our criminal justice system aimed at reducing the risk that innocent people will be put to death. It will provide improved access to DNA testing for people who claim that they have been wrongfully convicted, and prevent the premature destruction of biological evidence that could clear an innocent person and identify the real culprit. It will also improve the quality of capital defense counsel by assisting States to establish effective systems for appointing and compensating lawyers in death cases.

**Title VII – Strengthening the Federal Criminal Laws**

Title VII closes the loophole in current immigration law that allows war criminals from foreign nations to enter and reside in the U.S. It also strengthens Federal laws dealing with racketeering, antitrust violations, cargo theft, and cultural heritage crimes.