

the questionnaire believe more Federal money needs to be spent on crime prevention programs. Similarly, more than 80 percent of the police chiefs of small and mid-size cities in Wisconsin want more prevention funding.

When asked how much of Federal juvenile crime funding should go to prevention, these same law enforcement officials answer that close to 40 percent should be spent on prevention programs, far more than the current level of prevention funding. The Juvenile Crime Prevention and Control Act of 2001 listens to what local law enforcement experts have been telling us for years and addresses their needs.

Of course, prevention is not the sole answer to juvenile crime. Indeed, we need a comprehensive crime-fighting strategy aimed at juvenile offenders and potential offenders, from violent predators to children at-risk of becoming delinquent. This legislation understands that. Tough law enforcement plays an essential role. Certain violent juveniles should be incarcerated, and hopefully rehabilitated, and this bill provides the States with sufficient funds to get them off the streets and safeguard our communities.

Finally, no sensible juvenile crime fighting strategy is complete if it does not address the toxic combination of children and guns. This bill does that as well by mandating the sale of child safety locks with every handgun and insisting that those locks are designed well enough to work as intended.

Each year, teenagers and children are involved in more than 10,000 accidental shootings in which close to 800 people die. In addition, every year 1,300 children use firearms to commit suicide. Safety locks can be effective in deterring some of these incidents and in preventing others.

The sad truth is that we are inviting disaster every time an unlocked gun is stored but is still easily accessible to children. In fact, guns are kept in 43 percent of American households with children. In 23 percent of the gun households, the guns are kept loaded. And, in one out of every eight of those homes the guns are left unlocked.

During the last decade, crime rates, including juvenile crime rates, have decreased. Since 1994, the juvenile arrest rate for violent crime has dropped 36 percent. Nonetheless, the public perceives that juvenile crime is a growing problem, especially school violence.

We need to remain vigilant and think creatively about how to maintain this trend in falling juvenile crime. This measure provides a comprehensive approach. Prevention, enforcement, and keeping guns out of the hands of children are three essential elements to a common sense juvenile crime strategy.

By Mr. BINGAMAN (for himself and Mr. DEWINE):

S. 1166. A bill to establish the Next Generation Lighting Initiative at the Department of Energy, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, I rise today with Senator DEWINE to introduce a bill authorizing the Secretary of Energy to lead the United States into the next generation of lighting technology. If this bill is enacted, I believe it will allow us not only to maintain a world leadership role that Thomas Edison started, but promote efficiency advances in a market which consumes 19 percent of our electrical energy supply.

Lighting is a 40-billion-dollar global industry. The United States occupies roughly one-third of that market. It's an extremely competitive industry whose technology has been well established over the course of 80 years. Today's lighting market primarily consists of two technologies. The first technology is incandescent lighting, it's the one Thomas Edison invented over 100 years ago. Incandescent lighting relies on running a current through a wire to heat it up and illuminate your surroundings. Only 5 percent of the electricity in a conventional bulb is converted into visible light. The second type of lighting is fluorescent lights, which use a combination of chemical vapors, mainly mercury, to discharge light when current is passed through it. Fluorescent lights are six times more efficient than a light bulb.

As I have mentioned, today's lighting uses up about 19 percent of our electricity supply. In 1998, lighting electricity cost about 47 billion dollars which accounted for about 100 million tons of carbon equivalent from fossil energy plants.

Today, this paradigm is changing, because some scientists recently made a leap ahead in lighting research. Technology leaps displace, very quickly, traditional markets. We know the stories all too well, the horse courier, the telegraph, the telephone and finally the Internet.

That is why Senator DEWINE and I are proposing this legislation, because some advances have been made in the areas of solid state lighting that require a national investment that no one lighting industry can match. This emerging technology has the capability to disrupt our existing lighting markets. So quickly in fact, that other countries have formed consortia between their governments, industries, laboratories and universities. Solid state lighting is being taken very seriously around the world.

Let me describe solid state lighting. The best examples are red light emitting diodes, or "LED's", found in digital clocks. LED's produce only one color but they do not burn up a wire like a bulb and are seven times more efficient.

Until recently LED's were limited to yellow or red. That all changed in 1995. In 1995, some Japanese researchers developed a blue LED. Soon other bright colors started to emerge, such as green. That is when things started to change. Because, white light is a combination of red, blue, the recent Japanese breakthrough, and green or yellow. The re-

cent Japanese breakthrough of that simple blue LED has now made it possible to produce white light from LED's ten times more efficient than a light bulb.

If it is successful, white light LED's will revolutionize lighting technology and will disrupt the existing industries. It's imperative that we move quickly on these advances. We need a consortia between our government, industry, research labs and academia to develop the necessary pre-competitive research to maintain our leadership role in this field.

I would like to mention one other technology that will change lighting. That technology is found in your cell phone and on your computer screen. It's called conductive polymers. Three Nobel Prizes were just awarded for this technology. Conductive polymers offer the possibility of covering large surface areas and replacing fluorescent lamps. These materials will not only provide white light, but like your computer screen, display text or programmed color pictures. These technologies can be Internet controlled to adjust building lighting across the country.

Given these advances, I would like to describe the Next Generation Lighting Initiative Act. If enacted, it will move our country to capture these revolutionary mergers between lighting and information. It will supply the necessary pre-competitive R&D which no one industry alone can provide, and, which we as holders of the public trust of basic research owe a duty to further. It will keep the United States in a leadership role of commercial lighting while promoting energy efficiency that can either be ten times that of incandescent lights or twice that of fluorescent lights. We need to enact this legislation now.

The Next Generation Lighting Initiative authorizes the Department of Energy to grant up to \$480 million over ten years to a consortium of the United States lighting industry and research institutions. The goals of the Act are to have a 25 percent penetration of solid state lighting into the commercial markets by the year 2012. The Next Generation's consortium, will perform the basic and manufacturing research. The lighting industry will take this R&D and develop the necessary technologies to make it commercially viable.

This is precompetitive research. It is research that no one industry by itself can achieve and which we have a duty to promote together with industry. It has implications for our country's energy policy far broader than economic competitiveness. It is the reduction in energy consumption that makes it a national initiative. Once the pre-competitive research is transitioned to industry then it should be terminated, we think that will take about 10 years.

If this initiative is successful, then by 2025, it can reduce our energy consumption by roughly 17 billion watts of

power or the need for 17 large electricity generating plants. That's as much as 17 million homes consume in a single day. That's more homes than in California, Oregon, and Washington combined.

So let me conclude that the Next Generation Lighting Initiative will carry the U.S. lighting industry into the twenty first century. It capitalizes on technologies that have emerged only five years ago but have the potential to quickly displace our lighting industry. This Initiative will reduce our nation's energy consumption and greenhouse gas emission. The research necessary to advance this technology requires a national investment that must be in partnership with industry.

I encourage my colleagues to review this bill, offer their comments, and, join Senator DEWINE and me in its bipartisan support. I ask that the text of the bill be printed in the RECORD.

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

S. 1166

*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 "Next Generation Lighting Initiative Act".

#### SEC. 2. FINDING.

Congress finds that it is in the economic and energy security interests of the United States to encourage the development of white light emitting diodes by providing financial assistance to firms, or a consortium of firms, and supporting research organizations in the lighting development sectors.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) **CONSORTIUM.**—The term "consortium" means the Next Generation Lighting Initiative Consortium established under section 5(b).

(2) **INORGANIC WHITE LIGHT EMITTING DIODE.**—The term "inorganic white light emitting diode" means a semiconducting package that produces white light using externally applied voltage.

(3) **LIGHTING INITIATIVE.**—The term "Lighting Initiative" means the Next Generation Lighting Initiative established by section 4(a).

(4) **ORGANIC WHITE LIGHT EMITTING DIODE.**—The term "organic white light emitting diode" means an organic semiconducting compound that produces white light using externally applied voltage.

(5) **PLANNING BOARD.**—The term "planning board" means the Next Generation Lighting Initiative Planning Board established under section 5(a).

(6) **RESEARCH ORGANIZATION.**—The term "research organization" means an organization that performs or promotes research, development, and demonstration activities with respect to white light emitting diodes.

(7) **SECRETARY.**—The term "Secretary" means the Secretary of Energy, acting through the Assistant Secretary of Energy for Energy Efficiency and Renewable Energy.

(8) **WHITE LIGHT EMITTING DIODE.**—The term "white light emitting diode" means—

(A) an inorganic white light emitting diode; and

(B) an organic white light emitting diode.

#### SEC. 4. NEXT GENERATION LIGHTING INITIATIVE.

(a) **ESTABLISHMENT.**—There is established in the Department of Energy a lighting ini-

tiative to be known as the "Next Generation Lighting Initiative" to research, develop, and conduct demonstration activities on white light emitting diodes.

(b) **OBJECTIVES.**—

(1) **IN GENERAL.**—The objectives of the Lighting Initiative shall be to develop, by 2011, white light emitting diodes that, compared to incandescent and fluorescent lighting technologies, are—

(A) longer lasting;

(B) more energy-efficient; and

(C) cost-competitive.

(2) **INORGANIC WHITE LIGHT EMITTING DIODE.**—The objective of the Lighting Initiative with respect to inorganic white light emitting diodes shall be to develop an inorganic white light emitting diode that has an efficiency of 160 lumens per watt and a 10-year lifetime.

(3) **ORGANIC WHITE LIGHT EMITTING DIODE.**—The objective of the Lighting Initiative with respect to organic white light emitting diodes shall be to develop an organic white light emitting diode with an efficiency of 100 lumens per watt with a 5-year lifetime that—

(A) illuminates over a full color spectrum;

(B) covers large areas over flexible surfaces; and

(C) does not contain harmful pollutants typical of fluorescent lamps such as mercury.

#### SEC. 5. ADMINISTRATION.

(a) **PLANNING BOARD.**—

(1) **IN GENERAL.**—The Secretary shall establish a planning board, to be known as the "Next Generation Lighting Initiative Planning Board", to assist the Secretary in developing and implementing the Lighting Initiative.

(2) **COMPOSITION.**—The planning board shall be composed of—

(A) 4 members from universities, national laboratories, and other individuals with expertise in white lighting, to be appointed by the Secretary; and

(B) 3 members nominated by the consortium and appointed by the Secretary.

(3) **STUDY.**—

(A) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the planning board shall complete a study on strategies for the development and implementation of white light emitting diodes.

(B) **REQUIREMENTS.**—The study shall—

(i) develop a comprehensive strategy to implement, through the Lighting Initiative, the use of white light emitting diodes to increase energy efficiency and enhance United States competitiveness; and

(ii) identify the research and development, manufacturing, deployment, and marketing barriers that must be overcome to achieve a goal of a 25 percent market penetration by white light emitting diode technologies into the incandescent and fluorescent lighting markets by the year 2012.

(C) **IMPLEMENTATION.**—As soon as practicable after the study is submitted to the Secretary, the Secretary shall implement the Lighting Initiative in accordance with the recommendations of the planning board.

(b) **CONSORTIUM.**—

(1) **IN GENERAL.**—The Secretary shall solicit the establishment of a consortium, to be known as the "Next Generation Lighting Initiative Consortium", to initiate and manage basic and manufacturing related research contracts on white light emitting diodes for the Lighting Initiative.

(2) **COMPOSITION.**—The consortium may be composed of firms, national laboratories, and other entities so that the consortium is representative of the United States solid state lighting industry as a whole.

(3) **FUNDING.**—The consortium shall be funded by—

(A) membership fees; and

(B) grants provided under section 6.

#### SEC. 6. GRANT PROGRAM.

(a) **IN GENERAL.**—The Secretary shall make grants to firms, the consortium, and research organizations to conduct research, development, and demonstration projects related to white light emitting diode technologies.

(b) **REQUIREMENTS.**—To be eligible to receive a grant under this section, a consortium shall—

(1) enter into a consortium participation agreement that—

(A) is agreed to by all members; and

(B) describes the responsibilities of participants, membership fees, and the scope of research activities; and

(2) develop a Lighting Initiative annual program plan.

(c) **ANNUAL REVIEW.**—

(1) **IN GENERAL.**—An annual independent review of firms, the consortium, and research organizations receiving a grant under this section shall be conducted by—

(A) a committee appointed by the Secretary under the Federal Advisory Committee Act (5 U.S.C. App.); or

(B) a committee appointed by the National Academy of Sciences.

(2) **REQUIREMENTS.**—Using clearly defined standards established by the Secretary, the review shall assess technology advances and commercial applicability of—

(A) the activities of the firms, consortium, or research organizations during each fiscal year of the grant program; and

(B) the goals of the firms, consortium, or research organizations for the next fiscal year in the annual program plan developed under subsection (b)(2).

(d) **ALLOCATION AND COST SHARING.**—

(1) **IN GENERAL.**—The amount of funds made available for any fiscal year to provide grants under this section shall be allocated in accordance with paragraphs (2) and (3).

(2) **RESEARCH PROJECTS.**—Funding for basic and manufacturing research projects shall be allocated to the consortium.

(3) **DEVELOPMENT, DEPLOYMENT, AND DEMONSTRATION PROJECTS.**—Funding for development, deployment, and demonstration projects shall be allocated to members of the consortium.

(4) **COST SHARING.**—Non-federal cost sharing shall be in accordance with section 3002 of the Energy Policy Act of 1992 (42 U.S.C. 13542).

(e) **TECHNICAL AND FINANCIAL ASSISTANCE.**—The national laboratories and other pertinent Federal agencies shall cooperate with and provide technical and financial assistance to firms, the consortium, and research organizations conducting research, development, and demonstration projects carried out under this section.

(f) **AUDITS.**—

(1) **IN GENERAL.**—The Secretary shall retain an independent, commercial auditor to determine the extent to which funds made available under this Act have been expended in a manner that is consistent with the objectives under section 4(b) and the annual operating plan of the consortium developed under subsection (b)(2).

(2) **REPORTS.**—The auditor shall submit to Congress, the Secretary, and the Comptroller General of the United States an annual report containing the results of the audit.

(g) **APPLICABLE LAW.**—The Lighting Initiative shall not be subject to the Federal Acquisition Regulation.

#### SEC. 7. PROTECTION OF INFORMATION.

Information obtained by the Federal Government on a confidential basis under this Act shall be considered to constitute trade secrets and commercial or financial information obtained from a person and privileged or

confidential under section 552(b)(4) of title 5, United States Code.

#### SEC. 8. INTELLECTUAL PROPERTY.

Members of the consortium shall have royalty-free nonexclusive rights to use intellectual property derived from consortium research conducted under this Act.

#### SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act—

(1) \$30,000,000 for fiscal year 2002; and

(2) \$50,000,000 for each of fiscal years 2003 through 2011.

(b) AVAILABILITY.—Amounts made available under this section shall remain available until expended.

By Mrs. FEINSTEIN (for herself and Mr. HAGEL):

S. 1167. A bill to amend the Immigration and Nationality Act to permit the substitution of an alternative close family sponsor in the case of the death of the person petitioning for an alien's admission to the United States; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I am pleased to introduce on behalf of myself and Mr. HAGEL, the Family Sponsor Immigration Act of 2001. This legislation would address the situation of those whose U.S. sponsor dies while they have the chance to adjust status or receive an immigrant visa.

Under current law, a family member who petitions for a relative to receive an immigrant visa must sign a legally binding affidavit of support promising to provide for the support of the immigrant. This is the last step before a green card is issued. If the family sponsor dies while the green card application is pending, the applicant is forced to find a new sponsor and restart the application process, usually a 7- to 8-year process, or face deportation.

The legislation I have introduced today would correct this anomaly in the law by permitting another family member to stand in for the deceased sponsor and sign the affidavit. Without this legislation, another relative who qualifies as a family sponsor would have to file a new immigrant visa petition on behalf of the relative and the relative would have to go to the end of the line if the visa category is numerically limited. Thus, the beneficiary would lose his priority date for a visa based on the filing of the first petition, and in some cases, face deportation.

With the passage of this legislation, even though there may be a different sponsor, the beneficiary would not lose his or her priority date to be admitted as a permanent resident of the United States. Nor will the beneficiary be subject to deportation even though they meet all the requirements for an immigrant visa.

A classic example of this situation was presented to my office just recently. Earlier this year I introduced a private bill on behalf of Zhenfu Ge, a 73-year-old Chinese grandmother whose daughter died before the Immigration and Naturalization Service, INS, was able to complete the final stage of application process: her interview. As a result, her immigration application is

no longer valid and she is now subject to deportation. The private bill I introduced would allow her to adjust her status, given that she has met all the requirements for a visa.

In previous years, I have introduced other private bills which eventually became law. One bill was on behalf of Suchada Kwong, whose husband was killed in a car accident just weeks before her final interview with the INS. In 1997, I introduced a private bill on behalf of Jasmin Salehi, a Korean immigrant who became ineligible for permanent residency after her husband was murdered at a Denny's in Reseda, California, where he worked as a manager.

In all of these cases, a family's grief was compounded by the prospect of the deportation of a family member, who had met all the requirements for a green card. This legislation is an efficient way to alleviate the need for private legislation under these circumstances by making the law more just for those who have chosen to become immigrants in our country through the legal process.

We introduce the "Family Immigration Act of 2001," in the hopes that it will go further to alleviate some of hardships families face when confronted by the untimely death of a sponsor. Similar legislation has gained bipartisan support in the House of Representatives. I look forward to working with my colleagues to move it quickly through the Senate.

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

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

S. 1167

*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 "Family Sponsor Immigration Act of 2001".

#### SEC. 2. SUBSTITUTION OF ALTERNATIVE SPONSOR IF ORIGINAL SPONSOR HAS DIED.

(a) PERMITTING SUBSTITUTION OF ALTERNATIVE CLOSE FAMILY SPONSOR IN CASE OF DEATH OF PETITIONER.—

(1) RECOGNITION OF ALTERNATIVE SPONSOR.—Section 213A(f)(5) of the Immigration and Nationality Act (8 U.S.C. 1183a(f)(5)) is amended to read as follows:

“(5) NON-PETITIONING CASES.—Such term also includes an individual who does not meet the requirement of paragraph (1)(D) but who—

“(A) accepts joint and several liability with a petitioning sponsor under paragraph (2) or relative of an employment-based immigrant under paragraph (4) and who demonstrates (as provided under paragraph (6)) the means to maintain an annual income equal to at least 125 percent of the Federal poverty line; or

“(B) is a spouse, parent, mother-in-law, father-in-law, sibling, child (if at least 18 years of age), son, daughter, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent, or grandchild of a sponsored alien or a legal guardian of a sponsored alien, meets the requirements of paragraph (1) (other

than subparagraph (D)), and executes an affidavit of support with respect to such alien in a case in which—

“(i) the individual petitioning under section 204 for the classification of such alien died after the approval of such petition; and

“(ii) the Attorney General has determined for humanitarian reasons that revocation of such petition under section 205 would be inappropriate.”.

(2) CONFORMING AMENDMENT PERMITTING SUBSTITUTION.—Section 212(a)(4)(C)(ii) of such Act (8 U.S.C. 1182(a)(4)(C)(ii)) is amended by striking “(including any additional sponsor required under section 213A(f))” and inserting “(and any additional sponsor required under section 213A(f) or any alternative sponsor permitted under paragraph (5)(B) of such section)”.

(3) ADDITIONAL CONFORMING AMENDMENTS.—Section 213A(f) of such Act (8 U.S.C. 1183a(f)) is amended, in each of paragraphs (2) and (4)(B)(ii), by striking “(5).” and inserting “(5)(A).”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to deaths occurring before, on, or after the date of the enactment of this Act, except that, in the case of a death occurring before such date, such amendments shall apply only if—

(1) the sponsored alien—

(A) requests the Attorney General to reinstate the classification petition that was filed with respect to the alien by the deceased and approved under section 204 of the Immigration and Nationality Act (8 U.S.C. 1154) before such death; and

(B) demonstrates that he or she is able to satisfy the requirement of section 212(a)(4)(C)(ii) of such Act (8 U.S.C. 1182(a)(4)(C)(ii)) by reason of such amendments; and

(2) the Attorney General reinstates such petition after making the determination described in section 213A(f)(5)(B)(ii) of such Act (as amended by such subsection).

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 126—EXPRESSING THE SENSE OF THE SENATE REGARDING OBSERVANCE OF THE OLYMPIC TRUCE

Mr. DASCHLE (for himself, Mr. STEVENS, Mr. REID, Mr. CONRAD, Mr. HARKIN, Mr. DORGAN, and Mr. SARBANES) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 126

Whereas the Olympic Games are a unique opportunity for international cooperation and the promotion of international understanding;

Whereas the Olympic Games bring together embattled rivals in an arena of peaceful competition;

Whereas the Olympic Ideal is to serve peace, friendship, and international understanding;

Whereas participants in the ancient Olympic Games, as early as 776 B.C., observed an "Olympic Truce" whereby all warring parties ceased hostilities and laid down their weapons for the duration of the games and during the period of travel for athletes to and from the games;

Whereas war extracts a terrible price from the civilian populations that suffer under it, and truces during war allow for the provision of humanitarian assistance to those suffering populations;