

a nomination for the position of Assistant Attorney General, Civil Rights Division, Department of Justice; to the Committee on the Judiciary.

EC-1809. A communication from the White House Liaison for the Department of Justice, transmitting, pursuant to law, the report of a nomination for the position of Assistant Attorney General, Office of Policy Development, Department of Justice; to the Committee on the Judiciary.

EC-1810. A communication from the Legislative and Regulatory Activities Division, Comptroller of the Currency, Administrator of National Banks, transmitting, pursuant to law, the report of a rule entitled "Assessment of Fees" received on May 8, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-1811. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Change in Flood Elevation Determinations" (Doc. No. FEMA-B-7412) received on May 9, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-1812. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" (Doc. No. FEMA-7759) received on May 9, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-1813. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Change in Flood Elevation Determinations" received on May 9, 2001; to the committee on Banking, Housing, and Urban Affairs.

EC-1814. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC-1815. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report to the backlog of maintenance and repair needs of the Departments facilities and installations; to the Committee on Armed Services.

EC-1816. A communication from the Chief of the Programs and Legislation Division, Office of Legislative Liaison, Department of the Air Force, transmitting, pursuant to law, a report relative to Elmendorf Air Force Base in Alaska; to the Committee on Armed Services.

EC-1817. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination confirmed for the position of Under Secretary of Defense (Comptroller); to the Committee on Armed Services.

EC-1818. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination confirmed for the position of Assistant Secretary of Defense (Legislative Affairs); to the Committee on Armed Services.

EC-1819. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination for the position of Secretary of the Army; to the Committee on Armed Services.

EC-1820. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination for the position of Under Secretary of Defense (Personnel and Readiness); to the Committee on Armed Services.

EC-1821. A communication from the Assistant Director for Executive and Political Per-

sonnel, Department of Defense, transmitting, pursuant to law, the report of a nomination for the position of Secretary of the Navy; to the Committee on Armed Services.

EC-1822. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination for the position of Under Secretary of Defense (Policy); to the Committee on Armed Services.

EC-1823. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, a report regarding the Incidental Capture of Sea Turtles in Commercial Shrimping Operations; to the Committee on Commerce, Science, and Transportation.

EC-1824. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Staff Office for Intergovernmental and Recreational Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "American Lobster; Interstate Fishery Management Plans; Cancellation of Moratorium" (RIN0648-A088) received on May 9, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1825. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Closes Shallow Water Species Fishing Using Trawl Gear, Gulf of Alaska" received on May 9, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1826. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Species in the Rock Sole/Flathead Sole/"Other Flatfish" Fishery Category by Vessels Using Trawl Gear in Bering Sea and Aleutian Island Management Area" received on May 9, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1827. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Groundfish Observer Program" (RIN0648-AO30) received on May 9, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1828. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Spiny Dogfish Fishery; 2001 Specifications" (RIN0648-AN71) received on May 9, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1829. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Plans for Designated Facilities; New York" (FRL6977-2) received on May 9, 2001; to the Committee on Environment and Public Works.

EC-1830. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Section 112(1) Authority for Hazardous Air Pollutants; Equivalency by Permit Provisions; National Emission

Standards for Hazardous Air Pollutants from the Pulp and Paper Industry; State of New Hampshire" (FRL6978-8) received on May 9, 2001; to the Committee on Environment and Public Works.

EC-1831. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Final Exclusion" (FRL6950-2) received on May 9, 2001; to the Committee on Environment and Public Works.

EC-1832. A communication from the Principal Deputy Association Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants: Manufacturing of Nutritional Yeast" (FRL6978-5) received on May 9, 2001; to the Committee on Environment and Public Works.

EC-1833. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "NESHAPS: Standards for Hazardous Air Pollutants for Hazardous Waste Combustors" (FRL6978-6) received on May 9, 2001; to the Committee on Environment and Public Works.

EC-1834. A communication from the Deputy Assistant Secretary of the Army, Management and Budget, Civil Works, Department of the Army, transmitting, pursuant to law, the report of a rule entitled "United States Marine Corps Restricted Area, New River, North Carolina, and Vicinity" (33 CFR Part 334) received on May 9, 2001; to the Committee on Environment and Public Works.

EC-1835. A communication from the Director of the Federal Emergency Management Agency, transmitting, pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, a report relative to funds exceeding \$5 million for the response to the emergency declared in the State of New York; to the Committee on Environment and Public Works.

EC-1836. A communication from the Secretary of the Senate, transmitting, pursuant to law, the report of the receipts and expenditures of the Senate for the period October 1, 2000 through March 31, 2001; ordered to lie on the table.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-50. A joint memorial adopted by the Senate of the Legislature of the State of Washington relative to the conservation reserve enhancement program; to the Committee on Agriculture, Nutrition, and Forestry.

#### SENATE JOINT MEMORIAL 8019

Whereas, The National Marine Fisheries Service and the United States Department of Fish and Wildlife have listed several species of salmonids as either threatened or endangered under the federal Endangered Species Act; and

Whereas, A number of water bodies throughout the state do not currently comply with federally approved water quality standards including temperature, turbidity, and other parameters; and

Whereas, The State of Washington and the United States Department of Agriculture have entered into a memorandum of agreement that establishes the conservation reserve enhancement program to provide incentives to owners of agricultural land in

Washington State to restore and enhance conditions in riparian areas by planting trees and shrubs for the benefit of fishery habitat and water quality; and

Whereas, The conservation reserve enhancement program is available for a number of categories of agricultural lands but is not available to lands that produce perennial horticultural crops;

Now, therefore, Your Memorialists respectfully pray that the Secretary of the Department of Agriculture review the department's policies regarding the conservation reserves enhancement program and alter those policies to allow the inclusion in the program of lands that are currently used to produce perennial horticultural crops. Be it

*Resolved*, That copies of this Memorial be immediately transmitted to the Honorable George W. Bush, President of the United States, Ann Veneman, the Secretary of the United States Department of Agriculture, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM-51. A resolution adopted by the House of the Legislature of the State of Missouri relative to the Individuals with Disabilities Act; to the Committee on Appropriations.

#### RESOLUTION

Whereas, the original passage of the federal Individuals with Disabilities Education Act (IDEA) in 1975 established a program of free appropriate public education to better enable students with disabilities to achieve their greatest potential; and

Whereas, IDEA also represented an advance in civil rights for disabled children through equal protection; and

Whereas, Missouri has demonstrated a strong commitment to serving our children with disabilities through provision of special education and related services to over 127,000 students (14.18 percent of public school enrollment); and

Whereas, the original intent of the 94th Congress was to fund IDEA at 40% of the average per pupil expenditures for Part B of IDEA, but funding has never exceeded 13%; and

Whereas, federal law requires school districts to meet federal standards, but Congress has not provided the promised funding necessary to achieve those standards; and

Whereas, Missouri and several other states have legal prohibitions on passing unfunded mandates to the local level and therefore must either make up the shortfall or ask local districts to do so and thereby risk litigation; and

Whereas, local districts must then cover the mandated expenses of special education and reduce funding for teachers, textbooks and supplies, building maintenance and repair, as well as meet the counterproductive reporting burden which severely reduces teacher availability; Now therefore, be it

*Resolved*, That the members of the House of Representatives of the Ninety-first General Assembly, First Regular Session, the Senate concurring therein, hereby urge that before the 107th Congress considers any other education initiatives, that IDEA receive prompt and full funding, and the reporting requirements of IDEA be significantly reduced; and be it further

*Resolved*, That the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives and every member of the Missouri Congressional delegation.

POM-52. A joint resolution adopted by the House of the Legislature of the State of

Maine relative to National Parks in Maine's North Woods; to the Committee on Energy and Natural Resources.

#### JOINT RESOLUTION

Whereas, Maine residents and visitors enjoy the privilege of using large tracts of private land in the north woods for recreational uses such as snowmobiling, hunting, hiking, fishing, white water rafting and other related functions; and

Whereas, the future of that private land is of great importance to the people of Maine and their outdoor heritage; and

Whereas, the Maine Department of Inland Fisheries and Wildlife and many of the large landowners have or are entering into cooperative wildlife management agreements that ensure the future of critical wildlife population in the north woods; and

Whereas, state agencies and nonprofit organizations are cooperating in an unprecedented effort to secure permanent rights of access to the north woods and keep valuable recreational property and natural habitat undeveloped through conservation easements; and

Whereas, federal ownership or control of the north woods would create many problems including limitations on access and use and loss of local and state control of these areas; now, therefore, be it

*Resolved*, That We, your Memorialists, oppose the creation of a national park in Maine's north woods and request that the President of the United States and Secretary of the Interior Gale A. Norton abandon plans to conduct a feasibility study concerning establishing a national park in Maine's north woods; and be it further

*Resolved*, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to the Secretary of the Interior Gale A. Norton and to each member of the Maine Congressional Delegation.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McCAIN, from the Committee on Commerce, Science, and Transportation, with amendments.

S. 718: A bill to direct the National Institute of Standards and Technology to establish a program to support research and training in methods of detecting the use of performance-enhancing drugs by athletes, and for other purposes (Rept. No. 107-16).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. McCAIN (for himself, Mr. EDWARDS, and Mr. KENNEDY):

S. 872. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage; read the first time.

By Mr. HELMS (for himself, Mr. THURMOND, Mr. HUTCHINSON, and Mr. SMITH of New Hampshire):

S. 873. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TORRICELLI:

S. 874. A bill to require health plans to include infertility benefits, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BREAU (for himself and Mr. ENSIGN):

S. 875. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for taxpayers owning certain commercial power takeoff vehicles; to the Committee on Finance.

By Mr. INHOFE (for himself, Mrs. CLINTON, Mr. SMITH of New Hampshire, Mr. REID, Mr. WARNER, Mr. LIEBERMAN, and Mr. CHAFEE):

S. 876. A bill to amend the National Environmental Education Act to redesignate that Act as the "John H. Chafee Environmental Education Act," to establish the John H. Chafee Memorial Fellowship Program and the Theodore Roosevelt Environmental Stewardship Grant Program, to extend the programs under that Act, and for other purposes; to the Committee on Environment and Public Works.

By Mr. NELSON of Florida (for himself, Mr. DODD, and Mr. KENNEDY):

S. 877. A bill to amend the Agricultural Marketing Act of 1946 to require that a warning label be affixed to arsenic-treated wood sold in the United States; to the Committee on Agriculture, Nutrition, and Forestry.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KENNEDY (for himself, Mr. LUGAR, Mr. LEAHY, Mr. BROWNBACK, Mr. BIDEN, Ms. SNOWE, Mr. KERRY, Mr. SMITH of Oregon, Mr. TORRICELLI, Mr. CHAFEE, Mr. CORZINE, Mr. ALLEN, Mr. AKAKA, Mr. LIEBERMAN, Mr. BAYH, Mr. BINGAMAN, Mr. FEINGOLD, Mr. LEVIN, Mr. REED, Mr. KOHL, Mr. DURBIN, Mr. JOHNSON, Mr. SARBANES, Mr. WELLSTONE, Mrs. BOXER, Mr. MCCAIN, and Mrs. CLINTON):

S. Res. 88. A resolution expressing the sense of the Senate on the importance of membership of the United States on the United Nations Human Rights Commission; to the Committee on Foreign Relations.

#### ADDITIONAL COSPONSORS

S. 41

At the request of Mr. HATCH, the name of the Senator from Oregon (Mr. SMITH, of Oregon) was added as a cosponsor of S. 41, a bill to amend the Internal Revenue Code of 1986 to permanently extend the research credit and to increase the rates of the alternative incremental credit.

S. 88

At the request of Mr. ROCKEFELLER, the name of the Senator from South Carolina (Mr. THURMOND) was added as a cosponsor of S. 88, a bill to amend the Internal Revenue Code of 1986 to provide an incentive to ensure that all Americans gain timely and equitable access to the Internet over current and future generations of broadband capability.

S. 104

At the request of Ms. SNOWE, the names of the Senator from Montana