

(1) IN GENERAL.—Evidence relating to physical impairment under this section, including pulmonary function testing and diffusing studies, shall comply with—

(A) the technical recommendations for examinations, testing procedures, quality assurance and quality control, and equipment of the AMA Guides to the Evaluation of Permanent Impairment; or

(B) if the AMA Guides to the Evaluation of Permanent Impairment are not applicable, other authoritative standards.

(2) ADJUSTMENTS.—No adjustments with respect to pulmonary function testing shall be made on the basis of race.

(d) NO PRESUMPTION AT TRIAL.—Presentation of prima facie evidence of asbestos-related impairment meeting the requirements of this section shall not result in any presumption at trial that the exposed person is impaired by an asbestos-related condition, and evidence that the exposed person made a prima facie showing of impairment shall not be admissible at trial.

#### SEC. 5. PROCEDURES; REMOVAL.

(a) CONSOLIDATION.—A court may consolidate for trial any number and type of asbestos claims with consent of all the parties. In the absence of such consent, the court may consolidate for trial only asbestos claims relating to the same exposed person and members of the household of the exposed person.

(b) VENUE.—

(1) IN GENERAL.—A civil action asserting an asbestos claim may only be brought in the State of the plaintiff's domicile or a State in which there occurred exposure to asbestos that is a substantial contributing factor to the physical impairment on which the claim is based.

(2) INAPPLICABILITY.—Paragraph (1) shall not apply to a claim that—

(A) is based upon an exposed person's cancer; and

(B) is filed by an exposed person who is diagnosed with fatal mesothelioma or other asbestos-related cancer by a qualified physician, resulting in a short life expectancy of less than 3 years after the date on which the claim is filed.

(c) PRELIMINARY PROCEEDINGS.—The plaintiff in any civil action involving an asbestos claim shall file with the complaint or other initial pleading a written report and supporting test results constituting prima facie evidence of the exposed person's asbestos-related impairment meeting the requirements of section 4(b). The defendant shall be afforded a reasonable opportunity to challenge the adequacy of the proffered prima facie evidence of asbestos-related impairment. The plaintiff's claim shall be dismissed without prejudice upon a finding of failure to make the required prima facie showing.

(d) REMOVAL.—

(1) IN GENERAL.—If a State court refuses or fails to apply this section, any party in a civil action for an asbestos claim may remove such action to a district court of the United States in accordance with chapter 89 of title 28, United States Code.

(2) JURISDICTION OVER REMOVED ACTIONS.—The district courts of the United States shall have jurisdiction of all civil actions removed under this subsection, without regard to the amount in controversy and without regard to the citizenship or residence of the parties.

(3) REMOVAL BY ANY DEFENDANT.—A civil action may be removed to the district court of the United States under this subsection by any defendant without the consent of all defendants.

(4) REMAND.—The district court shall remain any civil action removed solely under this subsection, unless the court finds that—

(A) the State court failed to comply with procedures prescribed by law; or

(B) the failure to dismiss by the State court lacked substantial support in the record before the State court.

#### SEC. 6. STATUTE OF LIMITATIONS; TWO-DISEASE RULE.

(a) STATUTE OF LIMITATIONS.—Notwithstanding any other provision of law, with respect to any nonmalignant asbestos claim not barred on the effective date of this Act, the limitations period shall not begin to run until the exposed person discovers, or through the exercise of reasonable diligence should have discovered, that the exposed person is physically impaired by an asbestos-related nonmalignant condition.

(b) TWO-DISEASE RULE.—An asbestos claim arising out of a nonmalignant condition shall be a distinct cause of action from an asbestos claim relating to the same exposed person arising out of asbestos-related cancer. No damages shall be awarded for fear or risk of cancer in any civil action asserting only a nonmalignant asbestos claim.

(c) GENERAL RELEASES FROM LIABILITY PROHIBITED.—No settlement of a nonmalignant asbestos claim concluded after the date of enactment of this Act shall require, as a condition of settlement, release of any future claim for asbestos-related cancer.

#### SEC. 7. MISCELLANEOUS PROVISIONS.

(a) CONSTRUCTION WITH OTHER LAWS.—This Act shall not be construed to—

(1) affect the scope or operation of any workers' compensation law or veterans' benefit program;

(2) affect the exclusive remedy or subrogation provisions of any such law; or

(3) authorize any lawsuit which is barred by any such provision of law.

(b) CONSTITUTIONAL AUTHORITY.—The Constitutional authority for this Act is contained in Article I, section 8, clause 3 and Article III, section 1 of the Constitution of the United States.

#### SEC. 8. EFFECTIVE DATE.

This Act shall take effect on the date of enactment of this Act and apply to any civil action asserting an asbestos claim in which trial has not commenced as of that date.

### STATEMENTS ON SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 57—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON ARMED SERVICES

Mr. WARNER submitted the following resolution; from the Committee on Armed Services; which was referred to the Committee on Rules and Administration:

S. RES. 57

*Resolved*, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Armed Services is authorized from March 1, 2003, through September 30, 2003; October 1, 2003, through September 30, 2004; and October 1, 2004, through February 28, 2005, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee for the period March 1, 2003, through September 30, 2003, under this resolution shall not exceed \$3,594,172.

(b) For the period October 1, 2003, through September 30, 2004, expenses of the committee under this resolution shall not exceed \$6,328,829.

(c) For the period October 1, 2004, through February 28, 2005, expenses of the committee under this resolution shall not exceed \$2,698,836.

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2005.

SEC. 4. The Committee on Armed Services is authorized from March 1, 2003, until otherwise provided by law, to expend not to exceed \$10,000 each fiscal year to assist the Senate properly to discharge and coordinate its activities and responsibilities in connection with participation in various interparliamentary institutions and to facilitate the interchange and reception in the United States of members of foreign legislative bodies and prominent officials of foreign governments, foreign armed forces, and intergovernmental organizations.

SEC. 5. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges or copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 6. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2003, through September 30, 2003; October 1, 2003, through September 30, 2004; and October 1, 2004 through February 28, 2005, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations."

#### SENATE RESOLUTION 58—EXPRESSING THE SENSE OF THE SENATE THAT THE PRESIDENT SHOULD DESIGNATE THE WEEK BEGINNING JUNE 1, 2003, AS "NATIONAL CITIZEN SOLDIER WEEK"

Mr. ALLEN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 58

Whereas members of the National Guard and the other reserve components of the Armed Forces perform a vital role in the defense of the United States;

Whereas members of the National Guard and the other reserve components of the Armed Forces make significant personal sacrifices in performing military service when called to active duty; and

Whereas there are over 100,000 members of the National Guard and the other reserve components of the Armed Forces serving on active duty: Now, therefore, be it

*Resolved,*

**SECTION 1. DESIGNATION OF NATIONAL CITIZEN SOLDIER WEEK.**

(a) SENSE OF THE SENATE.—It is the sense of the Senate that the President should designate the week beginning June 1, 2003, as “National Citizen Soldier Week”.

(b) PROCLAMATION.—The Senate requests the President to issue a proclamation—

(1) designating the week beginning June 1, 2003, as “National Citizen Soldier Week”; and

(2) calling on the people of the United States to observe the week with appropriate ceremonies and activities.

**SENATE RESOLUTION 59—CONGRATULATING THE UNIVERSITY OF PORTLAND WOMEN’S SOCCER TEAM FOR WINNING THE 2002 NCAA DIVISION I NATIONAL CHAMPIONSHIP**

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

S. RES. 59

Whereas, on December 8, 2002, the University of Portland women’s soccer team captured its first ever undisputed collegiate national soccer championship;

Whereas the 2002 National Collegiate Athletic Association Division I title is the first championship in any sport for the University of Portland;

Whereas the University of Portland Pilots’ 20–4–1 record in 2002 tied the record for wins in a season in University of Portland women’s soccer history;

Whereas head coach Clive Charles, the University of Portland director of women’s and men’s soccer, has successfully built a nationally recognized collegiate soccer program, leading the University of Portland women’s and men’s teams to a collective 12 conference championships and 16 NCAA playoff berths and producing players for the United States National and Olympic teams;

Whereas, on the way to the national championship, the Pilots defeated 7 nationally ranked opponents, which included a 2–1 title game triumph over the reigning champion, Santa Clara University;

Whereas the Pilots, the tournament’s number 8 seed, now hold the record as the lowest-seeded team to win the national title in the women’s national championship 21-year history;

Whereas sophomore Christine Sinclair set an NCAA tournament record with 21 points on 10 goals and 1 assist;

Whereas each player, coach, trainer, and manager dedicated time and effort to ensuring that the Pilots reached the pinnacle of team achievement; and

Whereas the students, alumni, faculty, and supporters of the University of Portland are to be congratulated for their commitment and pride in the Pilots’ women’s soccer program: Now, therefore, be it

*Resolved, That the Senate—*

(1) congratulates the University of Portland women’s soccer team for winning the 2002 NCAA Division I national championship and recognizes the achievements of all the players, coaches, and support staff who were instrumental in this accomplishment; and

(2) directs the Secretary of the Senate to make available copies of this resolution to the University of Portland for appropriate display and to transmit a copy of the resolution to each coach and member of the 2002 University of Portland women’s soccer team.

**SENATE CONCURRENT RESOLUTION 5—EXPRESSING THE SUPPORT FOR THE CELEBRATION IN 2004 OF THE 150TH ANNIVERSARY OF THE GRAND EXCURSION OF 1854**

Mr. GRASSLEY (for himself, Mr. DURBIN, Mr. KOHL, Mr. COLEMAN, Mr. FEINGOLD, and Mr. HARKIN) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 5

Whereas reaching the shores of the Mississippi River represented a major milestone for the westward expansion of the system of railroad infrastructure that began on the East Coast in the 1830s;

Whereas in 1854 the Chicago and Rock Island Railroad became the first railroad to reach the Mississippi River and that achievement was celebrated with a combined railroad and riverboat trip known as the “Grand Excursion of 1854”;

Whereas the Grand Excursion of 1854 began in Chicago with a gathering of more than 1,000 dignitaries from professions encompassing the fields of government, education, business, journalism, and the arts, and included most prominently former United States President Millard Fillmore;

Whereas the excursion party of 1854 traveled from Chicago, Illinois, to Rock Island, Illinois, by train and then proceeded by boat from Rock Island to the present-day twin cities of Minneapolis, Minnesota, and St. Paul, Minnesota;

Whereas the Grand Excursion of 1854 is credited both with bringing the upper Mississippi Valley into the national spotlight and with solidifying Chicago’s role as a major transportation hub;

Whereas communities located on the 419 mile stretch between Rock Island and Minneapolis are investing more than \$5,000,000,000 in recreational, commercial, and environmental improvements to prepare for the celebration of the Grand Excursion in 2004;

Whereas an educational program in Illinois, Iowa, Wisconsin, and Minnesota will bring the history of the Mississippi River to life for thousands of students from kindergarten through 12th grade and will focus on the recreational, environmental, and commercial importance of the river;

Whereas the Grand Excursion celebration of 2004 will establish a series of permanent exhibits throughout the upper Mississippi River, recognizing the achievements of the many communities and celebrating the history of the Mississippi River;

Whereas the Grand Excursion, through its local, regional, national, and international marketing programs and initiatives, will communicate to the world the incredible attributes of the upper Mississippi River and will invite hundreds of thousands of visitors to the region to celebrate;

Whereas the National Park Service, along with other Federal, State, and local agencies and many other interested groups, is preparing activities to celebrate the sesquicentennial of the Grand Excursion in 2004, to educate local residents and visitors about the attributes of the river, and to commemorate the occasion by establishing future traditions that will improve community connections to the river; and

Whereas Grand Excursion, Inc. is organizing and coordinating the celebration in 2004 of the 150th anniversary of the Grand Excursion of 1854: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

(1) expresses its support for the work of all the Federal, State, and local entities, and the work of all interested groups that are preparing sesquicentennial activities to celebrate the 150th anniversary of the Grand Excursion of 1854;

(2) expresses its support for the events to be held in observance of the Grand Excursion of 1854 in Chicago, Rock Island, Moline, and Galena, Illinois, in Davenport, Clinton, and Dubuque, Iowa, in Prairie du Chien and La Crosse, Wisconsin, in Wabasha, Winona, Red Wing, Saint Paul, and Minneapolis, Minnesota, and in many other communities during the sesquicentennial observance; and

(3) calls on the President of the United States, the Secretary of Education, the Secretary of the Interior, the Secretary of Defense, the Assistant Secretary of the Army, the Director of the National Park Service, the Director of the United States Fish and Wildlife Service, other public officials, and the citizens of the United States to support, promote, and participate in the many sesquicentennial activities being planned to commemorate the Grand Excursion of 1854.

Mr. GRASSLEY, Mr. President, I am pleased to submit a resolution, with my colleagues representing the Upper Mississippi River, expressing our support for the celebration in 2004 of the 150th Anniversary of the Grand Excursion.

In 1854, the Chicago and Rock Island Railroad became the first railroad to reach from the East Coast to the Mississippi River. To celebrate, Henry Farnam, a contractor for the railroad, organized an excursion for friends, family, and stockholders. Word about this event spread quickly and a group of 1,200 people, including former President Millard Fillmore, traveled by steamboat from Rock Island, IL to St. Paul, MN.

This grand excursion turned into an opportunity to show influential persons of the day the remarkable beauty, numerous resources, and the unlimited opportunities that the Mississippi River and the West could provide. This excursion brought millions of dollars of investment to the area and positioned the Upper Mississippi region as a dominant force in the development of the nation in the 19th century.

Once again, the Grand Excursion is an opportunity to highlight the recreational, commercial, and environmental opportunities the river provides, as well as celebrate the renaissance of the Upper Mississippi River region. Over 50 communities, 23 regional organizations, and 4 states are joining together to make this celebration a reality.

For the past 10–15 years, communities in Iowa, Wisconsin, and Minnesota have been working together to reclaim their relationship with the Mississippi River and reestablish vibrant riverfront communities. Planning for the celebration has been a catalyst for over \$5 billion in capital improvements and environmental initiatives along the river.

In Iowa, communities such as the Quad Cities, Dubuque, and Clinton have all rallied together to make their riverfronts engines for economic development. The Quad Cities are the kickoff site for the Grand Flotilla taking

place in June of 2004. Dubuque is the home of the National Mississippi River Museum and Aquarium, as well as the home dock of the Audubon Ark. All of the participating Iowa cities have welcoming marinas, main streets, and fun events planned for the celebration. I am honored to be a partner with these dynamic communities.

Through the Grand Excursion 2004, hundreds of thousands of citizens will experience America's River, a matchless national treasure, through community festivities, educational events, enhanced recreation opportunities, and cultural programs. Those who are unable to participate first-hand in the celebrations will be able to experience the excitement through a first-class website and educational Exploration Trunks that will be provided with curriculum to classrooms around the country.

I hope that you will join me in supporting this resolution of America's celebration of the Upper Mississippi River: Grand Excursion 2004.

SENATE CONCURRENT RESOLUTION 6—EXPRESSING THE SENSE OF CONGRESS THAT A COMMEMORATIVE POSTAGE STAMP SHOULD BE ISSUED IN HONOR OF DANIEL "CHAPPIE" JAMES, THE NATION'S FIRST AFRICAN-AMERICAN FOUR-STAR GENERAL

Ms. LANDRIEU submitted the following concurrent resolution; which was referred to the Committee on Governmental Affairs:

S. CON. RES. 6

Whereas General Daniel "Chappie" James was a dedicated patriot fighting to defend the United States against foreign enemies while breaching the walls of segregation that existed at the time within the United States Armed Forces;

Whereas General James learned to fly while attending the Tuskegee Institute in Tuskegee, Alabama;

Whereas General James was commissioned in the United States Army Air Corps in January 1943;

Whereas General James was a member and trainer of the famed Tuskegee Airmen, the all-black fighter squadron that successfully executed over 200 dangerous missions escorting American bombers over Europe in World War II without losing a single bomber;

Whereas General James bravely flew 101 combat missions over Korea;

Whereas General James courageously and valiantly flew 78 missions into North Vietnam, including leading the Bolo MiG sweep which destroyed seven North Vietnamese MiG-21s, the highest total kill of any one Air Force mission during the Vietnam War;

Whereas General James, as a brigadier general, was named Deputy Assistant Secretary of Defense for Public Affairs in 1970;

Whereas General James was promoted to the rank of General and Commander-in-Chief of the North American Aerospace Defense Command (NORAD) in 1975 to become the first African-American four-star general in any of the United States Armed Forces; and

Whereas the issuance of a postage stamp recognizing General James' service and commitment to the United States as well as equality for all Americans will broaden the Nation's knowledge of his achievements and those of the Tuskegee Airmen, his contribu-

tions toward destroying racial divisions, and his status as a role model for Americans of all ethnic and racial backgrounds: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That—*

(1) it is the sense of Congress that a postage stamp should be issued by the United States Postal Service in honor of General Daniel "Chappie" James; and

(2) Congress directs the Secretary of the Senate to transmit a copy of this concurrent resolution to the Postmaster General and the Citizens' Stamp Advisory Committee.

Ms. LANDRIEU, Madam President, I rise today in celebration of Black History Month and a true American hero, General Daniel "Chappie" James, Jr. To commemorate Daniel "Chappie" James' life, I submit a resolution, today, to create a postage stamp in his honor. General James was a patriot for his country and broke down racial walls in the Armed Forces for all people of color. Not only was General James the first African American four-star general in the Air Force, but he was the first African American four-star general in any service. Regrettably, too few Americans know of his heroism and contributions to the United States.

General James dedicated his career to the defense of the United States and improving the plight of Blacks in the military. "Chappie" James learned to fly as a student at the Tuskegee Institute in Alabama. In 1943 he was commissioned in the segregated U.S. Army Air Corps. He was a member and trainer of the famed Tuskegee Airmen. Due to harsh prejudice, White officers doubted Blacks could be competent pilots, but the Tuskegee Airmen answered all critics by remarkably executing over 200 dangerous escort missions for American bombers during World War II without losing a single bomber. Following World War II, General James flew 179 fighter missions over Korea and North Vietnam. He commanded the Bolo MiG sweep over North Vietnam which destroyed seven North Vietnamese MiG-21s—the highest total kill of any one Air Force mission during the Vietnam War.

Throughout his life in the Air Force, Chappie James continued to break the color barrier. It was not an easy task, as it was fraught with road blocks. Nevertheless, General James pressed on to become a Brigadier General and the Deputy Assistant Secretary of Defense for Public Affairs in 1970. In 1975, Daniel James achieved the rank of General and was named chief-of-staff of the North American Aerospace Defense Command.

General James never forgot the struggles he faced as a Black man in the United States military, but his love for America never wavered. General James sought to right the wrongs he encountered, not run from them. In summation of his 35 years in the Air Corps and Air Force, he said, "I've fought in three wars and three more wouldn't be too many to defend my country. I love America and as she has weaknesses or ills, I'll hold her hand."

General James spent a life-time in service to his country and curing her of her weakness and ills. We should aspire to the same and continue his fight for equality.

To commemorate General James' life, I am submitting a resolution, today, to create a postage stamp in his honor. I hope my colleagues will support this measure and join me paying tribute to a great American.

SENATE CONCURRENT RESOLUTION 7—EXPRESSING THE SENSE OF CONGRESS THAT THE SHARP ESCALATION OF ANTI-SEMITIC VIOLENCE WITHIN MANY PARTICIPATING STATES OF THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE (OSCE) IS OF PROFOUND CONCERN AND EFFORTS SHOULD BE UNDERTAKEN TO PREVENT FUTURE OCCURRENCES

Mr. CAMPBELL (for himself, Mr. SMITH, and Mrs. CLINTON) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 7

Whereas the expressions of anti-Semitism experienced throughout the region encompassing the participating States of the Organization for Security and Cooperation in Europe (OSCE) have included physical assaults, with some instances involving weapons or stones, arson of synagogues, and desecration of Jewish cultural sites, such as cemeteries and statues;

Whereas vicious propaganda and violence in many OSCE States against Jews, foreigners, and others portrayed as alien have reached alarming levels, in part due to the dangerous promotion of aggressive nationalism by political figures and others;

Whereas violence and other manifestations of xenophobia and discrimination can never be justified by political issues or international developments;

Whereas the Copenhagen Concluding Document adopted by the OSCE in 1990 was the first international agreement to condemn anti-Semitic acts, and the OSCE participating States pledged to "clearly and unequivocally condemn totalitarianism, racial and ethnic hatred, anti-Semitism, xenophobia, and discrimination against anyone as well as persecution on religious and ideological grounds";

Whereas the OSCE Parliamentary Assembly at its meeting in Berlin in July 2002, unanimously adopted a resolution that, among other things, called upon participating States to ensure aggressive law enforcement by local and national authorities, including thorough investigation of anti-Semitic criminal acts, apprehension of perpetrators, initiation of appropriate criminal prosecutions, and judicial proceedings;

Whereas Decision No. 6 adopted by the OSCE Ministerial Council at its Tenth Meeting held in Porto, Portugal in December 2002 (the "Porto Ministerial Declaration") condemned "the recent increase in anti-Semitic incidents in the OSCE area, recognizing the role that the existence of anti-Semitism has played throughout history as a major threat to freedom";

Whereas the Porto Ministerial Declaration also urged "the convening of separately designated human dimension events on issues addressed in this decision, including on the topics of anti-Semitism, discrimination and racism, and xenophobia"; and

Whereas on December 10, 2002, at the Washington Parliamentary Forum on Confronting and Combating anti-Semitism in the OSCE Region, representatives of the United States Congress and the German Parliament agreed to denounce all forms of anti-Semitism and agreed that "anti-Semitic bigotry must have no place in our democratic societies": Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring).* That it is the sense of Congress that—

(1) officials of the executive branch and Members of Congress should raise the issue of anti-Semitism in their bilateral contacts with other countries and at multilateral fora, including meetings of the Permanent Council of the Organization for Security and Cooperation in Europe (OSCE) and the Twelfth Annual Session of the OSCE Parliamentary Assembly to be convened in July 2003;

(2) participating States of the OSCE should unequivocally condemn anti-Semitism (including violence against Jews and Jewish cultural sites), racial and ethnic hatred, xenophobia, and discrimination, as well as persecution on religious grounds whenever it occurs;

(3) participating States of the OSCE should ensure effective law enforcement by local and national authorities to prevent and counter criminal acts stemming from anti-Semitism, xenophobia, or racial or ethnic hatred, whether directed at individuals, communities, or property, including maintaining mechanisms for the thorough investigation and prosecution of such acts;

(4) participating States of the OSCE should promote the creation of educational efforts throughout the region encompassing the participating States of the OSCE to counter anti-Semitic stereotypes and attitudes among younger people, increase Holocaust awareness programs, and help identify the necessary resources to accomplish this goal;

(5) legislators in all OSCE participating States should play a leading role in combating anti-Semitism and ensure that the resolution adopted at the 2002 meeting of the OSCE Parliamentary Assembly in Berlin is followed up by a series of concrete actions at the national level; and

(6) the OSCE should organize a separately designated human dimension event on anti-Semitism as early as possible in 2003, consistent with the Porto Ministerial Declaration adopted by the OSCE at the Tenth Meeting of the OSCE Ministerial Council in December 2002.

Mr. CAMPBELL. Mr. President, I am pleased to submit Senate Concurrent Resolution 7, expressing the sense and concern of the Congress regarding the recent spike in anti-Semitic violence that occurred in many participating States of the 55-nation Organization for Security and Cooperation in Europe, OSCE. It is incumbent upon us to send a clear message that these malicious acts are a serious concern to the United States Senate and American people and that we will not be silent in the face of this disturbing trend.

The anti-Semitic violence we witnessed in 2002, which stretched the width and breadth of the OSCE region, is a wake-up call that this old evil still lives today. Coupled with a resurgence of aggressive nationalism and an increase in neo-Nazi "skin head" activity, myself, and other Commissioners on the Helsinki Commission, have diligently urged the leaders of OSCE participating States to confront and com-

bat the evil of anti-Semitism. Attacks on members of the Jewish community and their institutions have ranged from shootings, fire bombings, and physical assaults in places as different as London, Paris, Berlin and Kiev. Vandals have struck in Brussels, Marseilles, Bratislava, and Athens. Anti-Semitic propaganda has been spread in Moscow, Minsk and elsewhere as hatemongers have tapped into technology, including the internet, to spread their venom. Yet while we witnessed a significant rise in violence last year in Europe, acts of vandalism have also occurred in the United States, so with encouraging our colleagues in other parliaments to act, we must be mindful that no country is immune.

As OSCE participating States, all member nations, including the United States, have pledged to unequivocally condemn anti-Semitism and take effective measures to protect individuals from anti-Semitic violence. Through the OSCE, which was the first multilateral institution to speak out against anti-Semitism, all of today's member states share in that heritage. Thankfully, many OSCE states that I mentioned have responded appropriately, vigorously investigating the perpetrators and pursuing criminal prosecution. In short, manifestations of anti-Semitism must not be tolerated, period, regardless of the source.

As Co-Chairman of the Commission on Security and Cooperation in Europe, I can report that the OSCE Proto Ministerial Council, through the persistent efforts of the United States, addresses the phenomenon of anti-Semitism and called for the convening of a meeting specifically focused on this timely issue. I introduce this resolution to put the United States Senate on record and send an unequivocal message that anti-Semitism must be confronted, and it must be confronted now. If anti-Semitism is ignored and allowed to grow, our societies and our civilizations will suffer. As the resolution sets forth, elected and appointed leaders should meet the challenge of anti-Semitic violence through public condemnation, making clear their societies have no room for such attacks against members of the Jewish community of their institutions.

#### NOTICES OF HEARINGS/MEETINGS

##### SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. CRAIG. Mr. President, I would like to announce for the information of the Senate and the public that the following hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, February 27 at 3:00 p.m. in Room SD-366.

The purpose of this hearing is to receive testimony on S. 246, a bill to provide that certain Bureau of Land Management land shall be held in trust for the Pueblo of Santa Clara and the

Pueblo of San Ildefonso in the State of New Mexico; S. 32, a bill to establish Institutes to conduct research on the prevention of, and restoration from, wildfires in forest and woodland ecosystems of the interior West; S. 203, a bill to open certain withdrawn land in Big Horn County, Wyoming, to locatable mineral development for bentonite mining; S. 278, a bill to make certain adjustments to the boundaries of the Mount Naomi Wilderness Area, and for other purposes.

Because of the limited time available for the hearings, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD-364, Washington, D.C. 20510-6150.

For further information, please contact: Dick Bouts (202-224-7545) or Jared Stubbs (202-224-7556).

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. SANTORIUM. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, February 13, 2003, at 9:30 a.m., in open session to receive testimony on the defense authorization request for fiscal year 2004 and the future years defense program.

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

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SANTORIUM. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, February 13, 2003, at 9:30 a.m. on USOC reforms.

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

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SANTORIUM. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, February 13, 2003, at 2:30 p.m. on infrastructure needs of minority serving institutions.

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

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SANTORIUM. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, February 13 at 10:00 a.m. to consider the President's proposed FY 2004 Budget for the Forest Service.

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