

**"Chapter A—Jacob K. Javits Gifted and Talented Students Education Program";**

(2) in section 5461 (20 U.S.C. 7253), by striking "This part" and inserting "This chapter";

(3) by striking "this part" each place the term appears and inserting "this chapter"; and

(4) in section 5464 (20 U.S.C. 7253c)—

(A) by striking subsection (c); and

(B) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

By Mrs. BOXER:

S. 502. A bill to amend the Safe Drinking Water Act to designate perchlorate as a contaminant and to establish a maximum contaminant level for perchlorate; to the Committee on Environment and Public Works.

Mrs. BOXER. Mr. President, today I am introducing legislation to protect drinking water from contamination by the toxic chemical perchlorate. My bill will require the U.S. Environmental Protection Agency (EPA) to establish a standard for perchlorate contamination in drinking water supplies by July 1, 2004. Under EPA's current schedule, 2006 is the earliest date a standard would be finalized.

Perchlorate is a clear and present danger to California's public health. We cannot wait 4 more years to address this threat. EPA needs to get moving and protect our drinking water sooner rather than later.

Drinking water sources for at least 7 million Californians and millions of other Americans are contaminated with perchlorate. Perchlorate is the main ingredient in rocket fuel, which accounts for 90 percent of its use. Perchlorate is also used for ammunition, fireworks, highway safety flares, air bags, and fertilizers. It dissolves readily in many liquids, including water, and moves easily and quickly through cracks and water.

Perchlorate was first discovered in drinking water in 1957, although it was rarely listed as a contaminant of concern as late as the mid-1900s. Since 1997, when California's Department of Health Services developed a new, more sensitive analytical testing method that can detect perchlorate down to 4 parts per billion, perchlorate has been found in soil, groundwater, and surface water throughout the U.S.

Perchlorate poses a variety of serious health risks relating to thyroid function, especially in newborns, children, and pregnant women. Exposure to perchlorate interferes with the thyroid gland's ability to produce the hormones needed for normal prenatal development. This can cause both physical and mental retardation. Perchlorate is also linked to thyroid cancer.

Californians face special threats from perchlorate contamination because so many rockets and missiles were built and tested in the state during World War II and the cold war. Groundwater can become contaminated wherever the chemical is manufactured, used, disposed of, or stored.

Alarming levels of perchlorate have been discovered in Lake Mead and the Colorado River, the drinking water source for millions of Southern Californians. Communities in the Inland Empire, San Gabriel Valley, Santa Clara Valley, and the Sacramento area are also grappling with perchlorate contamination. In addition, more than 20 million Americans in at least 19 states drink water contaminated with perchlorate.

My bill will ensure that EPA acts swiftly to address this threat to our health and welfare. I look forward to working with my colleagues to pass this important piece of legislation.

By Ms. LANDRIEU:

S.J. Res. 7. A joint resolution proposing an amendment to the Constitution of the United States relative to the reference to God in the Pledge of Allegiance and on United States currency; to the Committee on the Judiciary.

Ms. LANDRIEU. Mr. President, I was surprised and disappointed by the Ninth Circuit Court of Appeals' decision not to reconsider its ruling in the case of *Newdow versus U.S. Congress*. To remind my colleagues, in the *Newdow* case, a three-judge panel of the Ninth Circuit held that the reference to God in the Pledge of Allegiance was unconstitutional. The Bush administration requested that the Ninth Circuit reconsider its ruling in the case. At the end of last week, the Ninth Circuit meeting en banc refused to reconsider its ruling. The case will likely go to the Supreme Court.

When the court first made its decision in *Newdow* last year, I introduced a proposed constitutional amendment that simply said that references to God in the Pledge of Allegiance and on our currency did not affect an establishment of religion under the first amendment. In light of the en banc Ninth Circuit's refusal to reconsider its ruling, I am reintroducing my proposed amendment today.

Mr. President, references to God are found in every one of our founding documents from the Declaration of Independence to the Constitution, as well as in the Pledge of Allegiance. The phrase "In God We Trust" appears on all of our currency and on many public buildings. Every day, we begin Senate sessions with a prayer and the pledge. I firmly believe that the Framers of the Constitution and the first amendment did not want to ban all references to God from public discourse when they wrote the establishment clause. What they wanted to prevent was the establishment of an official national religion and to keep the Government from getting intimately involved in the organization of one religion over another.

These references to God are ceremonial. Certainly, they do have meaning, but individuals are free to put whatever meaning on the word they choose. Indeed, I fully respect and support the rights of people not to participate in

the pledge or in ceremonial prayer and my amendment will not coerce anyone to recite the Pledge of Allegiance in public or in school.

Mr. President, I had hoped that the Ninth Circuit would reconsider its earlier holding. It has not. The Supreme Court may have the opportunity to hear arguments in this case. Should the Supreme Court decide not to hear the case or to overrule the lower court, then Congress should restore the appropriate balanced separation between church and state that I believe was the intent of the Framers.

I urge my colleagues to support this joint resolution.

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

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

S.J. RES. 7

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within 7 years after the date of its submission by the Congress:*

"ARTICLE—

"SECTION 1. A reference to God in the Pledge of Allegiance or on United States currency shall not be construed as affecting the establishment of religion under the first article of amendment of this Constitution.

"SECTION 2. Congress shall have the power to enforce this article by appropriate legislation."

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 70—DESIGNATING THE WEEK BEGINNING MARCH 16, 2003 AS "NATIONAL SAFE PLACE WEEK"

Mr. CRAIG (for himself and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

Whereas today's youth are vital to the preservation of our country and will be the future bearers of the bright torch of democracy;

Whereas youth need a safe haven from various negative influences such as child abuse, substance abuse and crime, and they need to have resources readily available to assist them when faced with circumstances that compromise their safety;

Whereas the United States needs increased numbers of community volunteers acting as positive influences on the Nation's youth;

Whereas the Safe Place program is committed to protecting our Nation's most valuable asset, our youth, by offering short term "safe places" at neighborhood locations where trained volunteers are available to counsel and advise youth seeking assistance and guidance;

Whereas Safe Place combines the efforts of the private sector and non-profit organizations uniting to reach youth in the early stages of crisis;

Whereas Safe Place provides a direct means to assist programs in meeting performance standards relative to outreach/

community relations, as set forth in the Federal Runaway and Homeless Youth Act guidelines;

Whereas the Safe Place placard displayed at businesses within communities stands as a beacon of safety and refuge to at-risk youth;

Whereas over 655 communities in 41 states and more than 11,000 locations have established Safe Place programs;

Whereas over 61,000 young people have gone to Safe Place locations to get help when faced with crisis situations;

Whereas through the efforts of Safe Place coordinators across the country each year more than one-half million students learn that Safe Place is a resource if abusive or neglectful situations exist;

Whereas increased awareness of the program's existence will encourage communities to establish Safe Places for the Nation's youth throughout the country: Now, therefore, be it

*Resolved*, That the Senate—

(1) proclaims the week of March 16 through March 23, 2003 as "National Safe Place Week" and

(2) requests that the President issue a proclamation calling upon the people of the United States and interested groups to promote awareness of and volunteer involvement in the Safe Place programs, and to observe the week with appropriate ceremonies and activities.

#### NOTICES OF HEARINGS/MEETINGS

##### COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, March 5, 2003, at 10 a.m. in Room 485 of the Russell Senate Office Building to conduct a business meeting on pending Committee business, to be followed immediately by a hearing on the President's FY 2004 Budget for Indian Programs.

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. 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 March 13, 2003 at 10 a.m. in room SD-366.

The purpose of this hearing is to gain an understanding of the impacts of last year's fires and then look forward to the potential 2003 fire season. The hearing will give all Committee members a solid understanding of the problems faced last year and what problems the agencies and the land may face this last season. Further it will provide the basis for other fire hearings that we may want to undertake at the Subcommittee level as the year goes on.

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, DC 20510-6150.

For further information, please contact Frank Gladics (202-224-2878) or Jared Stubbs (202-224-7556).

##### SUBCOMMITTEE ON NATIONAL PARKS

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks of the Committee on Energy and Natural Resources. The purpose of this hearing is to conduct oversight on the designation and management of National Heritage Areas, including criteria and procedures for designating heritage areas, the potential impact areas on private lands and communities, federal and non-federal costs of managing heritage areas, and methods of monitoring and measuring the success of heritage areas.

The hearing will take place on March 13, 2003 at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

Because of the limited time available for the hearing, 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 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact: Tom Lillie at (202) 224-5161 or Pete Lucero at (202) 224-6293.

#### ORDERS FOR TUESDAY, MARCH 4, 2003

Mr. HATCH. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m., Tuesday, March 4. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period for morning business for up to 2 hours, with the first 30 minutes under the control of Senator ALEXANDER, the second 30 minutes under the control of Senator MURKOWSKI or her designee, and the final 60 minutes under the control of the Democratic leader or his designee.

I further ask unanimous consent that upon the conclusion of morning business, the Senate return to executive session and resume the consideration of the nomination of Miguel Estrada to

be a circuit judge for the DC Circuit. I ask unanimous consent that the Senate recess from the hour of 12:30 p.m. to 2:15 p.m. for the weekly party caucuses.

Mr. REID. Mr. President, if my friend would yield?

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. HATCH. I am happy to yield.

Mr. REID. Mr. President, I want to commend the majority leader for allowing morning business. We have been so tied up with the Estrada nomination, and I understand why he has not allowed it in the past, but it is really long overdue. We have some people who have been wanting to speak in morning business for some time now. We will do our best to get them here in the morning. I do not know if we can, but we are going to do our best. Again, I appreciate the majority leader consenting to allowing us to do this.

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

#### PROGRAM

Mr. HATCH. Mr. President, for the information of all Senators, following morning business, the Senate will return to the Estrada nomination. Since taking up this nomination almost a month ago, the Senate has thoroughly and vigorously debated Mr. Estrada's qualifications to serve on the DC Circuit Court. Although a solid majority of Senators supports this nomination, several of my colleagues on the other side of the aisle refuse to let this well-qualified man receive an up-or-down vote on confirmation. Those who oppose Mr. Estrada certainly have a right to have their opinions heard, but I think it is more than fair to say that every Senator has had ample opportunity to speak on the nomination. I encourage any Member who still wishes to speak on the nomination to do so during tomorrow's session.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. HATCH. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:38 p.m. adjourned until Tuesday, March 4, 2003, at 9:30 a.m.

#### CONFIRMATION

Executive nomination confirmed by the Senate March 3, 2003:

##### THE JUDICIARY

MARIAN BLANK HORN, OF MARYLAND, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS.