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No. 47

## House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. ISSA).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
March 24, 2003.

I hereby appoint the Honorable DARRELL E. ISSA to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Eternal Father, strong to save, a Nation at war gathers with the Members of the House of Representatives and the President of these United States as we pray: "Thy Kingdom come."

In all we do and in all we intend as individuals and as a people: "Thy Kingdom come."

To seek such a noble purpose and to be so disposed both in mind and heart, can only begin by divine grace within the soul. And so, there we pray: "Thy Kingdom come."

As we pray for the protection of Your people across this beloved homeland and for our troops across the world: "Thy Kingdom come."

As we mourn those killed in Kuwait and Iraq in recent days, we pray for their families and their comrades: "Thy Kingdom come" to them and to all veterans and victims of war.

In all endeavors to ensure equal justice for all and achieve lasting peace in families and the community of nations: "Thy Kingdom come" now and forever. Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The Speaker pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 205. An act to authorize the issuance of immigrant visas to, and the admission to the United States for permanent residence of, certain scientists, engineers, and technicians who have worked in Iraqi weapons of mass destruction programs.

### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, March 21, 2003.

Hon. J. DENNIS HASTERT,  
*Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of

the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on March 21, 2003, at 2:30 p.m. and said to contain a message from the President whereby he submits a 6-month periodic report in accordance with 50 USC 1641(c) and 50 USC 1703(c) on the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in EO 13224 of September 23, 2001.

With best wishes, I am  
Sincerely,  
GERASIMOS C. VANS,  
*Assistant to the Clerk.*

### PERIODIC REPORT ON NATIONAL EMERGENCY WITH RESPECT TO TERRORISM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 108-52)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

*To the Congress of the United States:*

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith the 6-month periodic report prepared by my Administration on the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001.

GEORGE W. BUSH,  
*THE WHITE HOUSE, March 21, 2003.*

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H2273

OMISSION FROM THE CONGRESSIONAL RECORD OF THURSDAY, MARCH 20, 2003, AT PAGE H2227

COMMUNICATION FROM THE HONORABLE STEVE BUYER, MEMBER OF CONGRESS

The SPEAKER laid before the House the following communication from the Honorable STEVE BUYER, Member of Congress:

HOUSE OF REPRESENTATIVES,  
March 20, 2003.

Hon. J. DENNIS HASTERT,  
Speaker, House of Representatives, H-232, The Capitol, Washington, DC.

DEAR MR. SPEAKER: I have been called to active duty in the United States Army. Pending further orders, I request immediate indefinite leave of the House of Representatives to accommodate my military duties.

Respectfully,

STEVE BUYER,  
Member of Congress.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BUYER (at the request of Mr. HASTERT) for an indefinite period of time on account of military service.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 205. An act to authorize the issuance of immigrant visas to, and the admission to the United States for permanent residence of, certain scientists, engineers, and technicians who have worked in Iraqi weapons of mass destruction programs; to the Committee on the Judiciary.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 12:30 p.m. tomorrow for morning hour debates.

There was no objection.

Accordingly (at 2 o'clock and 6 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, March 25, 2003, at 12:30 p.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS,  
ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1303. A letter from the Administrator, Rural Utilities Service, Department of Agriculture, transmitting the Department's final rule — RUS Specification for Voice Frequency Loading Coils — received March 13, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1304. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Imazethapyr; Pesticide Tolerance [OPP-2003-0032; FRL-7294-1] received March 18, 2003, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Agriculture.

1305. A letter from the Deputy Congressional Liaison, Board of Governors of the Federal Reserve System, transmitting the Board's final rule — Equal Credit Opportunity [Regulation B; Docket No. R-1008] received March 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1306. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Ophthalmic Drug Products for Over-the-Counter Human Use; Final Monograph; Technical Amendment [Docket No. 03N-0008] (RIN: 0910-AA01) received March 10, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1307. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Food Additives Permitted for Direct Addition to Food for Human Consumption; Vitamin D3 [Docket No. 02F-0160] received March 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1308. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Hematology and Pathology Devices; Reclassification of Automated Blood Cell Separator Device Operating by Filtration Principle from Class III to Class II [Docket No. 96P-0484] received March 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1309. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Finding of Failure to Submit State Implementation Plan Revisions for Particulate Matter, California — San Joaquin Valley [CA 088-FON; FRL-7470-6] received March 18, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1310. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Department's final rule — Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District [CA 242-0386; FRL-7460-8] received March 18, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1311. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Department's final rule — Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District, Mendocino County Air Quality Management District, and Monterey Bay Unified Air Pollution Control District [CA 071-0379a; FRL-7456-6] received March 18, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1312. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Bay Area Air Quality Management District, Sacramento Metropolitan Air Quality Management District, and San Joaquin Valley Unified Air Pollution Control District [CA 275-0378a; FRL-7460-5] received March 18, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1313. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Department's final rule — Revision to the Arizona State Implementation Plan, Arizona

Department of Environmental Quality [AZ 078-0068; FRL-7460-9] received March 18, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1314. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Interim Final Determination to Stay and/or Defer Sanctions, Bay Area Quality Management District, Sacramento Metropolitan Air Quality Management District, and San Joaquin Valley Unified Air Pollution Control District [CA 275-0378c; FRL-7460-6] received March 18, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1315. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Department's final rule — Approval and Promulgation of Implementation Plans; State of Missouri [MO 171-1171a; FRL-7468-1] received March 18, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1316. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri [MO 176-1176a; FRL-7468-4] received March 18, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1317. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri [MO 175-1175a; FRL-7467-8] received March 18, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1318. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Virginia: Final Authorization of State Hazardous Waste Management Program Revision [FRL-7465-8] received March 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1319. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil [AD-FRL-7467-1] (RIN: 2060-AG97) received March 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1320. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Historic Area Remediation Site (HARS)-Specific Polychlorinated Biphenyl Worm Tissue Criterion [FRL-7467-6] received March 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1321. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plans for Designated Facilities; New York [Region II Docket No. NY58-253a, FRL-7464-8] received March 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1322. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri [MO 174-1174a; FRL-7467-4] received March 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1323. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Mississippi Update to Materials Incorporated by Reference [MS-200310; FRL-7445-5] received March 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1324. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Mojave Desert Air Quality Management District [CA 269-0382a; FRL-7451-6] received February 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1325. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Clean Air Act Approval and Promulgation of Air Quality Implementation Plan Revision for North Dakota; Revisions to the Air Pollution Control Rules [ND-001-0007; FRL-7453-4] received February 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1326. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plans for Designated Facilities; Virgin Islands [Region II Docket No. VI4-249a, FRL-7455-3] received February 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1327. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Kansas [KS 173-1173a; FRL-7455-9] received February 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1328. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Florida Update to Materials Incorporated by Reference [FL-200313; FRL-7453-7] received February 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1329. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Prevention of Significant Deterioration (PSD) [AD-FRL-7456-9] (RIN: 2060-AE11) received March 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1330. A letter from the Legal Advisor, International Bureau, Federal Communications Commission, transmitting the Commission's final rule — Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2 GHz Band, the L-Band, and the 1.6/2.4 GHz Bands [IB Docket No. 01-185]; Review of the Spectrum Sharing Plan Among Non-Geostationary Satellite Orbit Mobile Satellite Service Systems in the 1.6/2.4 GHz Bands [IB Docket No. 02-364] received March 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1331. A letter from the Deputy Chief, Policy Division, WTB, Federal Communications Commission, transmitting the Commission's final rule — Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems [CC Docket No. 94-102] received March 4, 2003,

pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1332. A letter from the Senior Legal Advisor, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Pampa, Texas) [MB Docket No. 02-204] (RIN: RM-10314) received February 10, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1333. A letter from the Senior Legal Advisor, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Hooks, Texas) [MB Docket No. 02-203, RM-10466] received February 10, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1334. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting an annual report required by section 655 of the Foreign Assistance Act of 1961, pursuant to Public Law 104-164, section 655(a) (110 Stat. 1435); to the Committee on International Relations.

1335. A communication from the President of the United States, transmitting a report, consistent with the War Powers Resolution and Public Law 107-40, to keep the Congress informed on United States efforts in the global war on terrorism; (H. Doc. No. 108-53); to the Committee on International Relations and ordered to be printed.

1336. A communication from the President of the United States, transmitting a report, consistent with the War Powers Resolution that he directed U.S. Armed Forces, operating with other coalition forces, to commence combat operations on March 19, 2003, against Iraq; (H. Doc. No. 108-54); to the Committee on International Relations and ordered to be printed.

1337. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Final Rule to List the Columbia Basin Distinct Population Segment of the Pygmy Rabbit (*Brachylagus idahoensis*) as Endangered (RIN: 1080-A117) received March 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1338. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Final Designation of Critical Habitat for *Sidalcea keckii* (Keck's checkermallow) (RIN: 1018-AG93) received March 13, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1339. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Final Designation of Critical Habitat for Two Larkspurs from Coastal Northern California (RIN: 1018-AG96) received March 13, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1340. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction [Docket No. 001005281-0369-02; I.D. 030303A] received March 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1341. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the North-

eastern United States; Atlantic Sea Scallop Fishery; Framework Adjustment 15 [Docket No. 030108004-3044-02; ID 010303B] (RIN: 0648-AQ28) received March 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1342. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — 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 Islands Management Area [Docket No. 021212307-2307-01; I.D. 021903A] received March 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1343. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish by Vessels Using Non-Pelagic Trawl Gear in the Red King Crab Savings Subarea [Docket No. 021212307-2307-01; I.D. 021303C] received March 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1344. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule — Documentation of Immigrants Under the Immigration and Nationality Act, as Amended — Immediate Relatives (RIN: 1400-AB38) received March 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1345. A letter from the Senior Rulemaking Analyst, Office of the Chief Counsel, TSA, Department of Transportation, transmitting the Department's final rule — Transportation of Explosives From Canada to the United States Via Commercial Motor Vehicle and Railroad Carrier [Docket No. TSA-2003-14421] (RIN: 2110-AA18) received February 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1346. A letter from the Regulations Officer, FHWA, Department of Transportation, transmitting the Department's final rule — Design-Build Contracting [FHWA Docket No. FHWA-2000-7799] (RIN: 2125-AE79) received February 28, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1347. A letter from the Regulations Officer, FHWA, Department of Transportation, transmitting the Department's final rule — Traffic Control Devices on Federal-Aid and Other Streets and Highways; Color Specifications for Retroreflective Sign and Pavement Marking Materials [FHWA Docket No. FHWA-99-6190] (RIN: 2125-AE67) received February 6, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1348. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule — Drawbridge Operating Regulations; Gulf Intracoastal Waterway, Grand Lake, LA [CGD08-03-003] (RIN: 2115-AE47) received February 20, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1349. A letter from the Regulations Officer, FHA, Department of Transportation, transmitting the Department's final rule — Statewide Transportation Planning; Metropolitan Transportation Planning [FHWA Docket No. FHWA-99-5933] (FHWA RIN: 2125-AE95; FTA RIN: 2132-AA75) received February 20, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1350. A letter from the Paralegal Specialist, FAA, Department of Transportation,

transmitting the Department's final rule — Airworthiness Directives; Various Boeing and McDonnell Douglas Transport Category Airplanes [Docket No. 2002-NM-43-AD; Amendment 39-13039; AD 2003-03-15] (RIN: 2120-AA64) received February 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1351. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Arriel 1 A2, 1 C, 1 C1, 1 C2, 1 D, 1 D1, 1 E2, 1 K, 1 K1, 1 S, 1 S1 and Arriel 2 B, 2 B1, 2 C, 2 C1, 2 S1 Series Turboshift Engines [Docket No. 2001-NE-06-AD; Amendment 39-13036; AD 2003-03-12] (RIN: 2120-AA64) received February 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1352. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-600, -700, -700C, -800 and -900 Series Airplanes [Docket No. 2002-NM-307-AD; Amendment 39-13025; AD 2003-03-01] (RIN: 2120-AA64) received February 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1353. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class D Airspace; Shaw AFB, SC [Airspace Docket No. 02-ASO-27] received February 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1354. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Enhanced Security Procedures for Operations at Certain Airports in the Washington, DC Metropolitan Area Special Flight Rules Area; SFAR 94 [Docket No. FAA-2002-11580; SFAR 94] (RIN: 2120-AH62) received March 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1355. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Lock Haven, Pa [Docket No. FAA-2002-13996; Airspace Docket No. 02-AEA-21] received February 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1356. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Special Air Traffic Rules; Flight Restrictions in the Vicinity of Niagara Falls [Docket No. FAA-2002-13235; Amendment Nos. 91-273 and 93-82] (RIN: 2120-AH57) received March 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1357. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30356; Amdt. No. 3046] received March 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1358. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; White Plains, NY [Docket No. FAA-2002-13997; Airspace Docket No. 02-AEA-20] received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1359. A letter from the Program Analyst, FAA, Department of Transportation, trans-

mitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30352; Amdt. No. 3043] received March 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1360. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30353; Amdt. No. 3044] received March 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1361. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30349; Amdt. No. 3040] received February 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1362. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30355; Amdt. No. 3045] received March 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1363. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Amendment to Class E Airspace; Ulysses, Ks [Airspace Docket No. 02-ACE-11] received February 11, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1364. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautics S.A. (EMBRAER) Model EMB-135 AND -145 Series Airplanes [Docket No. 2002-NM-326-AD; Amendment 39-13048; AD 2003-03-23] (RIN: 2120-AA64) received March 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1365. A letter from the Assistant Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule — Security Zone; Chesapeake Bay, Elizabeth River, Port of Hampton Roads, Virginia [CGD05-03-007] (RIN:2115-AA97) received February 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1366. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 2002-NM-316-AD; Amendment 39-13044; AD 2003-03-19] (RIN: 2120-AA64) received March 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1367. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2C10 (Regional Jet Series 700 and 701) Series Airplanes [Docket No. 2003-NM-20-AD; Amendment 39-13041; AD 2003-02-51] (RIN: 2120-AA64) received March 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1368. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-223, -321, -322, and -323 Series Airplanes Equipped with Pratt & Whitney Model

PW4164, PW4168, or PW4168A Engines [Docket No. 2002-NM-102-AD; Amendment 39-13040; AD 2003-03-16] (RIN: 2120-AA64) received March 7, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1369. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Withdrawal of Revisions to the Water Quality Planning and Management Regulation and Revisions to the National Pollutant Discharge Elimination System Program in Support of Revisions to the Water Quality Planning and Management Regulation [WH-FRL-7470-2] (RIN: 2040-AD84) received March 18, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1370. A letter from the Deputy General Counsel, VHA, Department of Veterans Affairs, transmitting the Department's final rule — VA Homeless Providers Grant and Per Deim Program (RIN: 2900-AL30) received March 18, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1371. A letter from the Deputy General Counsel, Department of Justice, transmitting the Department's final rule — Screening of Aliens and Other Designated Individuals Seeking Flight Training [OAG 104; AG Order No. 2656-2003] (RIN: 1105-AA80) received February 20, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1372. A letter from the Chief, Regulations Branch, Customs Service, Department of Treasury, transmitting the Department's final rule — Rules of Origin for Textile and Apparel Products [T.D. 03-08] (RIN: 1515-AC80) received February 20, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1373. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — New Markets Tax Credit [Notice 2003-9] received February 10, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1374. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Rules for Certain Reserves [Rev. Rul. 2003-24] received February 20, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1375. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Tax Forms and Instructions [Rev. Proc. 2003-9] received February 6, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1376. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Rev. Rul. 2003-26] received February 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1377. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Guidance Under Section 1502; Suspension of Losses on Certain Stock Dispositions [TD 9048] (RIN: 1545-BB95) received March 18, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1378. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Tax Shelter Regulations [TD 9046] (RIN: 1545-AX81; 1545-BB49; 1545-BB50; 1545-BB48; 1545-BB53; 1545-BB51; 1545-BB52; 1545-AW26; 1545-AX79) received March 3, 2003, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Ways and Means.

1379. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule — Changes in the Retirement Age (RIN: 0960-AE03) received February 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMAS: Committee on Ways and Means. H.R. 743. A bill to amend the Social Security Act and the Internal Revenue Code of 1986 to provide additional safeguards for Social Security and Supplemental Security Income beneficiaries with representative payees, to enhance program protections, and for other purposes; with an amendment (Rept. 108-46). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1104. A bill to prevent child abduction, and for other purposes; with an amendment (Rept. 108-47 Pt. 1).

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Transportation and Infrastructure and Education and the Workforce discharged from further

consideration. H.R. 1104 referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 1104. Referral to the Committees on Transportation and Infrastructure and Education and the Workforce extended for a period ending not later than March 24, 2003.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Ms. SLAUGHTER (for herself, Mr. TAUZIN, and Mr. DINGELL) introduced a concurrent resolution (H. Con. Res. 110) recognizing the sequencing of the human genome as one of the most significant scientific accomplishments of the past one hundred years and expressing support for the goals and ideals of Human Genome Month and DNA Day; which was referred to the Committee on Energy and Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 2: Mr. CHOCOLA and Mr. PEARCE.

H.R. 20: Mr. MCNULTY, Ms. BALDWIN, Mr. MARIO DIAZ-BALART of Florida, Mr. MORAN of Virginia, Mr. BACA, and Ms. SLAUGHTER.

H.R. 243: Mr. CALVERT, Mr. DREIER, Mr. FILNER, and Mr. COX.

H.R. 290: Mr. FOLEY.

H.R. 296: Mr. NADLER.

H.R. 362: Mr. BERRY.

H.R. 623: Mr. GONZALEZ and Mr. HINCHEY.

H.R. 677: Mr. RUSH.

H.R. 742: Mr. PORTER, Mr. LAMPSON, Mr. MATHESON, Mr. PLATTS, Mr. OLVER, Mr. GOODLATTE, Mr. MURPHY, Mr. HASTINGS, of Florida, and Mr. PETERSON of Minnesota.

H.R. 800: Mr. GINGREY.

H.R. 821: Mrs. LOWEY.

H.R. 854: Mr. HASTINGS of Florida.

H.R. 857: Mr. RYAN of Ohio.

H.R. 1052: Mr. PLATTS and Mr. MATHESON.

H.R. 1154: Mr. WAMP.

H.R. 1165: Ms. CARSON of Indiana.

H.R. 1374: Mr. TAYLOR of Mississippi.

H.J. Res. 4: Mr. HOSTETTLER, Mr. QUINN, Mr. HEFLEY, and Mrs. KELLY.

H.J. Res. 37: Mr. VAN HOLLEN, Mr. MILLER of North Carolina, and Mr. MICHAUD.

H. Con. Res. 49: Mr. LEVIN, Mr. RYAN of Ohio, Ms. MCCOLLUM, Mr. VITTER, Mr. GREEN of Wisconsin, Mr. CUMMINGS, Ms. BALDWIN, Mr. ISRAEL, Mr. REYES, Mr. BACA, and Mr. NADLER.

H. Con. Res. 50: Mr. DAVIS of Tennessee and Mr. LEWIS of Kentucky.



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# Congressional Record

PROCEEDINGS AND DEBATES OF THE 108<sup>th</sup> CONGRESS, FIRST SESSION

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No. 47

## Senate

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. STEVENS).

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Rev. Campbell Gillon, Georgetown Presbyterian Church, Washington, DC.

### PRAYER

The guest Chaplain offered the following prayer:

Eternal God, we come before Thee in dangerous times. Many are anxious and fearful as the lives of our Nation's forces and their allies are in harm's way, opposing an evil and oppressive regime. We pray for swift victory and a safe return. We know that the one certainty of war is sacrifice. And yet there is the haunting thought that if nothing is worth fighting and dying for, then evil goes unchallenged, cruelty unthwarted, and oppression unchecked. What then is worth living for?

We pray for courage and inner strength for those young men and women, who, on their country's behalf, offer a forceful, yet vulnerable presence to compel a malevolent dictator's overthrow.

Lord, we live in a day when the foundations of truth and goodness have been despised and denigrated and lives are built on hedonism, cynicism, and relativism. Yet these are sand, and after life's quaking storms only the things which cannot be shaken remain.

O God, let good be brought out of evil as people realize that freedom is a luxury, denied for most of history to most of humanity. Thus, may our gratitude for our own freedom be shown by never taking it for granted or using it wantonly, forgetting its cost in sacrifice, past and present.

May these Senators, as guardians of this precious freedom, be its sharers with others, as blessed by Thee. And may they use their position of power for a lasting purpose that benefits this fair land and far beyond. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable TED STEVENS led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. BENNETT). The acting majority leader is recognized.

### SCHEDULE

Ms. COLLINS. Mr. President, today the Senate will be in a period of morning business throughout the afternoon. As announced by the majority leader, there will be no rollcall votes today. On Tuesday at 9:30 a.m., the Senate will begin a series of votes in relation to amendments to the budget resolution. Again, Senators are reminded to remain in or close to the Chamber throughout this period to avoid missing any of the scheduled rollcall votes. Under the previous agreement, the Senate will vote on final passage of the budget resolution at 4 p.m. on Wednesday. Tuesday and Wednesday will be busy voting days, and we ask for the cooperation of all Members.

The PRESIDING OFFICER. The distinguished assistant minority leader.

Mr. REID. Senator CONRAD, with Senator DASCHLE, worked all weekend in narrowing down the amendments. Senator CONRAD is in the present position of giving 20 of the 40 amendments to Senator NICKLES within the next few minutes, and at 4 p.m. the other amendments will be submitted to Senator NICKLES.

We recognize tomorrow could be a very difficult, long day, starting at 9:30. This agreement we made is in the best interests of everyone, and I am hopeful we can work that out.

Following the statement of the Senator from Maine, Ms. COLLINS, I ask

consent that Senator KENNEDY be recognized to speak for up to 30 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

### RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### MORNING BUSINESS

The PRESIDING OFFICER (Mr. BENNETT). Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 5 p.m., with time to be equally divided between the leaders or their designees.

### SUPPORT FOR OUR TROOPS

Ms. COLLINS. Mr. President, I rise today to express my strong and unconditional support for our troops in Iraq. As the war continues to progress, I have every confidence in their capabilities, their courage, and their commitment. The passage by unanimous vote last week of a resolution in support of our troops sent a message to all the world that Congress is united behind our men and women in the gulf.

I have also come to express my sincere condolences to the families of those brave individuals who have already made the ultimate sacrifice in service to our Nation. Last Friday, I learned that my State of Maine had suffered two losses early in the fighting, two marines with ties to the State of Maine: CPT Jay Aubin and CPL Brian Kennedy were among those killed when their helicopter crashed in the Kuwaiti desert. Captain Aubin grew up in Skowhegan, ME, and his parents, Thomas Aubin and Nancy Chamberlain, live in our State still. Corporal Kennedy's mother lives in Port Clyde, ME. No words can express fully my sorrow over their loss and my

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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thanks for the service of their sons. Their brave sacrifice will never be forgotten.

On many occasions in recent months, this institution has debated the threat posed by Saddam Hussein and Iraq's weapons of mass destruction. Individual Senators have had honest disagreements about the right course to take in confronting Saddam Hussein. Now that our troops are engaged in battle against the forces of Saddam Hussein, we must speak with one voice.

The outcome of this conflict is not in doubt. Our military is the best equipped with the best trained force in the world's history. As the representative from Maine on the Senate Armed Services Committee, it has been my privilege and honor to work side by side with our military leaders to ensure this is the case.

If there is any message we could continue to send to the Members of the Iraqi military, it would be to express the ultimate futility of their continued resistance. The President has made clear, we come not as conquerors but as liberators.

War is a harsh, painful, brutal reality even when the goals are noble, even when the goals are security and freedom. As we have already seen, there is very little certainty in combat. In the fog of war, there are innumerable factors that might affect the course of battle. We often receive conflicting reports, confusing media accounts, and distorted descriptions of the battlefield. But one thing should never be in doubt, one thing is unmistakable: Our troops will prevail, and they will receive whatever support they need to bring this conflict to a successful end as rapidly as possible.

I express my gratitude to the families of the young men and women currently in harm's way who have been left behind. They truly carry a heavy burden, and they deserve the respect, the thanks, and the admiration of every American. As we have seen so painfully over the weekend, victory will not come without cost. While our military leaders will continue to do everything they can to minimize the danger that our troops will face, there is still much risk and much danger.

To the wives, the husbands, the parents, and the children of troops, thank you for your bravery, your strength, and your patriotism. Thank you for your love of country.

When I first came to the Senate over 6 years ago, I would not have imagined this moment. We lived in a different world then. But today, as our troops engage in battle, let us all show our unwavering support for our troops, thank them for their service, and express our heartfelt hope for their safe return.

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#### FEDERAL SUPPORT FOR STATE AND LOCAL FIRST RESPONDERS

Ms. COLLINS. Mr. President, just as we stand behind our troops in Iraq, so

must we also unite here at home behind our first responders as they protect our communities from the threat of a terrorist attack.

As the chairman of the Governmental Affairs Committee, I have made helping first responders one of my top priorities. Now that we have confirmed Secretary Tom Ridge and helped to get the new Department of Homeland Security up and running, it is time to turn to strengthening the new Department's partnership with State and local governments and the first responders who protect our homeland.

On March 1, our home security structure began to come into place as Secretary Ridge incorporated nearly two dozen agencies into the new Department of Homeland Security. While this new framework will provide much needed focus to tackling the threat of a terrorist attack, we must also provide the resources to our communities and their police, firefighters, and emergency medical personnel who stand ready to respond to a crisis.

Just as they stand by to protect our citizens, our first responders deserve a government that stands by them.

In a recent conversation with Secretary Ridge, we discussed the fact that if disaster does strike, if there is another terrorist attack, it is our first responders, not some official from Washington, who would be on the front lines. I plan on holding a series of hearings and introducing legislation streamlining and strengthening Federal support for State and local homeland security efforts.

We must continue to combat terrorism at every stage. The war on terrorism has already yielded some very significant victories. The fall of the Taliban has denied al-Qaida its most important sanctuary. The capture of several high-ranking al-Qaida operatives has also pushed us forward in our quest to end terrorist attacks. Working with foreign governments, we have disrupted much of the al-Qaida network.

But we know that terrorist cells continue to operate around the world, and the threat in the United States remains high. The threat remains very real as terrorists still plot to attack our Nation.

Just as we must continue to attack the threats at their sources, we must also strengthen our ability to detect, prevent, deter, and respond to a terrorist attack.

Recently, I met with some 40 officials from communities around the State of Maine. I have also spoken with police officers, firefighters, and emergency medical staff personnel. They have all expressed concerns about navigating the maze of Federal homeland security funding.

I met recently with Maine's Adjutant General, GEN Joe Tinkham, who talked to me about the tangled web of some 40 Federal Agencies and Departments that have a role in combating terrorism and in funding local home-

land security efforts. He told me that, while underfunded, in some ways the previous system worked better for the State of Maine because there was much more flexibility. Now he finds that certain money is set aside that can only be used for equipment purchases, when what is needed is joint training to learn to use that equipment effectively in some communities.

The new Department of Homeland Security will address many of these concerns by helping to streamline and coordinate programs formerly administered by a number of different agencies. But we must follow up on these efforts to help the new Department enhance its efforts to fund first responders.

I have received a lot of advice on this issue from Maine's firefighters, police officers, and State and local officials. They have suggested a new partnership with the Department of Homeland Security that gives them the flexibility they need to meet whatever is the need for homeland security at the local level.

Last year, we put a downpayment on the needs of our communities. The increased funding of programs, such as the FIRE Act, and those within the Office of Domestic Preparedness, are important steps forward in providing the necessary resources.

But we must build on this success and provide a stronger framework. First responders' needs are as diverse as the States and the communities they protect. Our grant programs and other assistance must be flexible enough to reflect this diversity. But, unfortunately, that is not the case under the current approach.

Maine's first responders and local governments have told me their needs range from communications equipment to personnel to more effective training. Mainers, and others beyond the beltway, do not just have needs; they also have tremendously creative and effective ideas that can be channeled into the new coordinated community-based homeland security strategy.

Over the coming weeks, I will be holding hearings in the Committee on Governmental Affairs to begin to build a consensus for legislation helping homeland security transition many of its important grant programs into their new directorates. I plan to call on States, communities, and, most importantly, our first responders who stand on the front lines to learn how we can better meet their needs.

Listening to the ideas and needs of our communities and first responders will be the most effective way of developing legislation to make sure our homeland security dollars go as far as possible. We want legislation that will help provide the right resources to the right people.

Our President and Secretary Ridge have shown tremendous leadership in focusing the new Department's efforts, not only in developing a national strategy but in focusing its efforts outside Washington.

Congress must shift its homeland security focus from Washington to our borders, our shorelines, and our communities. I look forward to continuing to work with communities across Maine and around the country so that we can build a better and stronger homeland security partnership in the months and years ahead.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

#### A FAILING BUDGET

Mr. KENNEDY. Mr. President, as was pointed out in the initial remarks of my friend and colleague from the State of Maine, we will have intensive consideration of the budget starting early tomorrow morning, and then concluding late Wednesday afternoon. And we are going to do so with very strict time constraints.

I want to be able to express my views on this legislation in terms of where I think we are in the consideration of the budget, and my concerns for where I think we will end up on Wednesday evening at the time of our vote. This is an enormously important matter that is before the Congress.

All of our thoughts and prayers and focus are outside this Chamber now, and with the brave men and women in our Armed Forces overseas. I think all of us are following this closely and have shared in the positive outcomes that many of those in the Armed Forces have experienced. And we have also felt the shattering sense of loss that has been experienced by many of the families, when we have seen the difficulties and the tragedies which have developed over this period of time.

Nonetheless, our work must go on. It is important, as we think about the extraordinarily brave men and women abroad, that we think about what this budget should really be all about. It seems to me the best way we can show appreciation for those service men and women and their sacrifice and their valor is to live up to the ideals they are fighting for so bravely. The budget, to a very important extent, reflect our priorities as a nation and that is what I want to address this afternoon.

As we all sat in this Senate chamber last week, casting votes on budget amendments hour after hour, it was striking how detached the proceedings were from the real concerns of the American people. While they were concentrating intently on every detail of the unfolding war in Iraq, the Senate was considering a budget that our Republican colleagues had proposed without any funding whatsoever for the enormous cost of the war and the potentially even more enormous cost of its aftermath.

Tomorrow, the President will send to Congress a request for additional funds to cover the initial costs of war in Iraq. There is no doubt that all of us in Congress will want to provide that support to our troops as quickly as possible.

As we watched events unfold on our television screens in recent days, it became clearer than ever that more needs will arise because of the war—both in the short term and the long term. We deserve a budget that does not squander the treasury in time of war. We need a budget that provides for our troops and meets our priorities at home.

In this time of national unity, we owe it to our troops and to all Americans to make this the best America we can be. That is patriotism at its best—to support our men and women abroad, and to fight at home for the values they represent—for a strong and secure America, for a strong economy, for equality and opportunity for all, for better jobs and better schools and better health care.

Mr. President, \$1.6 trillion in new tax breaks for the wealthy will not win this war. It will not help laid off workers and their families. It will not strengthen our schools or provide prescription drugs for our seniors. It is as though this budget had been drafted in a sound-proofed room, so that the sounds of war and the voices of the American people could not be heard. On the opposite side of the Capitol, the House of Representatives has already passed an even more extreme Republican budget, slashing hundreds of billions of dollars from urgent domestic priorities, including some for which even the Bush administration had requested support. Any objective observer of Capitol Hill can quickly see how out of touch this Congress has become.

A time of war should be a time of national unity—of Americans pulling together and sharing the burdens fairly. The people's elected representatives should reinforce this national spirit with leadership that says we are all in this together, that we are here to help one another. As we confront the grave threats of terrorism and war, it is particularly important to build a broad national consensus at home based on our shared values. Many of us have become deeply concerned in recent years that our policies are moving farther and farther away from these shared national values. Increasingly, major decision about how America should be governed are being made by a narrow partisan majority in Congress with utter disdain for the basic needs of the overwhelming majority of our people.

This Republican budget says it all. The last thing that America needs in this time of war is policies that divide us—which concentrate so much of the Nation's resources in the hands of the wealthiest few, while ignoring the needs of tens of millions of hard-working families. Especially at this moment when we are sending young American men and women into harm's way to defend our highest ideals, we in Congress have a responsibility to support policies which keep faith with those ideals.

It is bad enough that the Republican budget fails to meet that challenge. It

is even worse that the narrow Republican majorities in the Senate and House are bent on rushing the budget through Congress quickly, while public attention is preoccupied with the war. If it ever passes, this budget will be part of the collateral damage caused by the war, haunting us for years to come.

It is astonishing that our Senate Republican colleagues who protested so loudly about the failure of Senate Democrats to produce a budget last year are themselves proposing such an atrocious budget this year. Passing no budget would be better than passing this irresponsible budget. The worst thing would be to lock in these bad policy choices for years to come.

We recognize that it will take no small amount of political courage four enough of our Republican colleagues to join us in voting down this budget. Hopefully, it will happen.

The time is past for debate about whether we should go to war with Iraq. Now that our troops are engaged in battle, we all join together in praying for their safety and for a quick and successful end to the conflict.

We need a budget which honestly addresses the cost of the war and the future rebuilding of Iraq. At a time when our troops in the field are being asked to make great sacrifices, the least that this Congress owes them is to be honest about the burden we are undertaking in Iraq.

Even if the war ends quickly and successfully, the rebuilding of Iraq will be a lengthy and costly process that will make this budget obsolete on the day it is passed. The Feingold Amendment was a first step to address the cost of the war for the next few months, but Republican leaders boasted that they would remove the amendment from the final bill. The Nation's budget must not be turned into a vehicle for such gross political deception—for concealing costs rather than setting sound priorities. This is a time of high national purpose for America. It should be no less on the floor of the Senate.

We need a budget which will also strengthen America at home. When our troops return, we want them to come home to a strong economy and secure jobs. We want them to come home to better schools for their children, not schools facing drastic budget cuts, fewer teachers and overcrowded classrooms. We want them to be able to afford health care and health insurance for their families.

This budget fails all of these tests. It rejects the measures needed to restore the economy and to deal with layoffs and rising unemployment. Instead, it embraces rigid right-wing policies that have not worked and will not work and do not distribute the burden fairly. In 2001, President Bush pushed \$1.3 trillion in tax cuts through Congress that disproportionately benefit the wealthiest taxpayers. Now, the Administration is seeking an additional \$1.6 trillion in tax cuts that are even more heavily slanted toward the rich. That is not the

solution to the problems facing America's families. It is a strategy that will only add to their problems.

The impact of these new tax breaks is clear from the Administration's own budget. When the White House says "no" to obviously needed spending on urgent domestic priorities such as education and health care, it says the war on terrorism requires us all to tighten our belts. But the belts will be tightened mainly on low and middle income individuals and families. The wealthiest Americans are not asked to tighten their belts at all. Just the opposite—they would receive major new tax breaks.

As a result of the Republican tax plan enacted 2 years ago, the wealthiest 1 percent of taxpayers will each save an average of \$50,000 a year. Now the administration wants to give each of them even more—an additional \$25,000 a year.

Under the administration's so-called "economic growth" package, households with annual incomes over \$1 million will receive an average tax cut of nearly \$90,000 each year. In contrast, households in the middle of the income spectrum will receive an average of less than \$300 a year in tax benefits.

It cannot be wartime for other Americans, but still peacetime for the rich. One of America's most basic values is that the country's burden must be fairly shared.

We know that the problems facing working families have grown steadily worse since this administration took office in January 2001. Certainly, the White House policies are not the sole cause of the economic downturn we have witnessed in the last 2 years. The stock market began its decline before the President took office, and so did the recession. The economic shock caused by the September 11 attacks was beyond the administration's control. Fear of the war has been hanging heavily over the economy.

But the response of the administration to these economic challenges has been ineffective. The administration's one-track-minded commitment to massive new tax breaks for the wealthy as the cure for every economic ailment has made a bad situation even worse. The administration has ignored remedies that would provide a significant short term stimulus, while undermining our long-term economic strength. As a result, the economy continues to stagnate, and the number of families facing serious hardship continues to grow.

Huge numbers of working men and women have lost their jobs. As layoffs mount, millions of others live in fear of being the next to be let go. Two and a half million fewer private sector jobs exist in America today than existed just 2 years ago. Men and women across the country looking for a job are finding it increasingly difficult to obtain one. The number of long-term unemployed workers has almost tripled since the administration took office.

This is the first administration in 50 years to preside over a net loss of private sector jobs.

In the face of these serious problems, it is cruel and unconscionable that Republicans leap to support extravagant tax breaks for the wealthy, yet refuse to support a reasonable extension and expansion of unemployment benefits. They continue to oppose obviously needed and obviously urgent assistance for millions of workers facing long-term unemployment and hundreds of thousands of part-time and low-wage workers who receive no benefits under current law.

Affordable health insurance should be another high priority. Yet it is becoming less and less affordable for large numbers of families. Over two million more Americans are without health insurance today compared to 2 years ago. One in ten small businesses which offered their employees health insurance in 2000 no longer do so now. The average cost of health insurance is soaring at double digit rates—up by 11 percent in 2001 and another 12.7 percent in 2002—nearly four times the rate of inflation. The health care vise on working families is becoming tighter and tighter every year.

Our public schools are facing budget cuts rights and left. The administration's words are that no child should be left behind, but the deeds in this budget leave over six million students behind, without the help they need to get a good education.

The cost of college is rising beyond the reach of more and more families. The gap between college tuition and the tuition assistance provided by the Federal Government has grown by \$1,900 in the first 2 years of the Bush Administration. As a result, the number of able students denied the chance to go to college is growing each year.

For millions of families, their retirement savings have seriously eroded in the last 2 years. Savings in 401(k) plans and other similar plans has plunged by \$473 billion in the last 2 years. Individual retirement accounts dropped by \$229 billion in 2001. The 2002 data are not available yet, but given the poor performance of the stock market, another steep decline is certain. Many middle-aged workers who thought their retirements were safe are suddenly being forced to stay in the workforce longer and reduce their standard of living in retirement.

These are the realities American families face today.

In this situation, the most irresponsible action Congress can take would be to accept the proposal of the administration to enact massive new permanent tax cuts.

We cannot afford the loss of an additional \$1.6 trillion from the Treasury. Temporary tax cuts to stimulate the economy are affordable, but the administration's large permanent new tax breaks are not. If that plan is adopted, the Federal Government will not have the resources to meet urgent domestic

needs in education, in health care, and in homeland security. It will be virtually impossible to keep the Nation's commitment to Social Security and Medicare.

The administration is misusing the recession to justify major new permanent tax breaks for the wealthy. Exempting dividends from taxes will take \$400 billion out of the Treasury over the next 10 years. Half of that enormous amount—\$200 billion—will go directly into the pockets of the richest 1 percent of taxpayers, who are not exactly the ones struggling to make ends meet in this faltering economy. Eighty percent of taxpayers will receive little or nothing from the dividend proposal. To use the need for an immediate economic stimulus as an excuse to enact costly new permanent tax breaks for the wealthy is cynical trickle-down economics at its worst. The American people deserve better from the White House.

The administration obviously does not want to discuss why its tax breaks are targeted so heavily to the wealthiest. Its typical response is to shout "class warfare." That's nonsense. It's not our description of the White House plan that constitutes class warfare. A tax plan which gives the wealthiest 10 percent of Americans more in tax breaks than the total given to the other 90 percent is the real class warfare.

Clearly, the Nation cannot afford all of these tax breaks. Cuts of this magnitude will condemn us to escalating deficits that will weaken the economy and make it impossible to meet our long-term commitments to Social Security and Medicare.

Instead of reducing tax rates on the top income brackets in future years and repealing the estate tax, we should freeze those rates at their current levels and retain the tax on estates over \$4 million. We should not enact any new permanent tax breaks for the wealthy, when we are so clearly failing to address so many of our most urgent national needs.

For the cost of reducing the tax rate on the top income brackets, we could provide the additional funds needed to keep the promise made in the "No Child Left Behind" education reform act and keep it for a decade.

For the cost of permanently repealing the estate tax on the super-wealthy, we could help to ensure that Social Security has the resources needed to keep the promise of a secure retirement for future generations.

For the cost of President Bush's newly proposed \$726 billion package of additional tax breaks tilted to the wealthiest taxpayers, we could fully fund a generous program of prescription drug assistance for senior citizens under Medicare, and extend health insurance to millions of uninsured families.

We know which of these choices will make our country stronger and help us meet the challenges of the future. A

craven decision to give more and more tax breaks to the richest among us is a decision to ignore America's greatest needs.

Now more than ever is the time for Congress to bring the Nation's policies into line with the Nation's values. The courage of our forces fighting in Iraq and the courage of our fellow citizens who responded to the terrorist attacks on 9/11 should inspire us all. In the time of great national purpose for America, Congress must respond.

Consider what we can accomplish if our policies are brought into line with our national values. The American people want us to measure success by people helped and problems solved. They want policies that are worthy of a great and generous people in this new century.

Providing every child with a good education from the early years through college that will enable them to reach their full potential would be consistent with our most basic values. Yet, today, far too many children are denied that opportunity. The children of working families, who need help the most, often receive the least when it comes to education. The administration's budget leaves six million—six million—children behind. It would actually reduce funds for after-school activities for more than half a million students. How can President Bush abandon his unequivocal promise of full funding for the school reforms required by the No Child Left Behind Act? That legislation was signed into law with great fanfare by the President a year ago. But when the klieg lights go out and the bunting comes down and the cameras leave, the money isn't there. The Republican budget before us provides \$8.9 billion less than we promised America's children a year ago. This budget has the wrong priorities and it should not be enacted.

In the past, Democrats and Republicans in Congress have worked together to reject the administration's anti-education budgets. By a substantial bipartisan majority, we have increased the funds for education. We should do the same this year. Congress must—even if the administration won't—live up to our promise to leave no child behind.

At the same time, we have to provide more college students with financial aid to meet rising tuition costs. The gap between the cost of college tuition and the level of tuition assistance has grown by \$1,900 since President Bush took office. We took a step toward narrowing the gap last Friday by agreeing to increase Pell Grants. We must make certain that the increase remains in the final budget.

Just as Social Security is a promise to senior citizens, we should make "Education Security" a promise to every young American. If you work hard, if you finish high school, if you are admitted to college, we should guarantee that you can afford the cost of the four years it takes to earn a degree.

We will fight to make the dream of a college education a reality for all. We will fight this month, this year, and we will not stop, because the fight is for America's future.

We must do the same for health care. Every American family is facing some aspect of the worsening health care crisis we face today. Health care costs are skyrocketing. Families with insurance are facing more and more increases in their insurance premiums, for fewer and fewer benefits. The number of Americans without any insurance at all is unacceptably high and rapidly rising. No family with insurance today can be sure that it will be there for them tomorrow if serious illness strikes. For senior citizens, the 40-year old promise of good health care under Medicare is now being broken every day, because Medicare does not cover prescription drugs.

In the face of this crisis, the administration proposed only a meager amount to help the uninsured, and Senate Republicans cut even that small amount nearly in half.

In the face of this crisis, the Republican budget pays lip service to the needs of senior citizens for prescription drug coverage but fails to provide adequate resources to do the job. Even worse, they propose to dismantle Medicare and force senior citizens into HMOs and other private insurance plans in order to obtain even the paltry drug benefit they are offering.

No senior citizens should be forced to give up the doctor they trust to get the prescription drugs they need. No budget accepted by this Congress should put tax breaks for the rich ahead of health care for senior citizens and their families.

The Republican plan for Medicaid is equally unacceptable. It would victimize 46 million of the neediest and most dependent of our fellow Americans. The administration is proposing the same type of destructive block grants for Medicaid that the Gingrich Congress failed to enact almost a decade ago. The Republican block grant plan would leave millions of innocent victims in its wake—sick and needy children and their parents, the disabled, and the low-income elderly.

The GOP plan for block grants to States would abolish the Federal Child Health Insurance Program, which now gives over 5 million children the chance for a healthy start in life. Millions of senior citizens would no longer be able to count on Federal nursing home standards to protect them if they are unable to continue to live in their own homes. Spouses of senior citizens who need nursing care would no longer be guaranteed even a minimum amount of income and savings on which to live.

States need fiscal relief now, so that they can respond to the human and financial devastation that the current recession is causing to State budgets, and especially to State Medicaid plans. The demands on Medicaid are greater than ever for States, as more families

lose their jobs and turn to Medicaid for health care. But instead of offering real help, the GOP budget offers the fool's gold of State Medicaid "flexibility." Instead of the funds that States need to protect the Medicaid safety net, the Republican budget offers only a license to States to shred it.

Finally, small in cost but large in symbolism is the failure of this budget to address the immediate needs of the unemployed. That failure vividly illustrates how far this budget strays from our values.

How can a budget deny unemployment benefits to the long-term unemployed at the same time it offers \$1.3 trillion in additional tax cuts disproportionately benefiting the wealthiest taxpayers?

More than four million Americans will be unemployed with no federal benefits after June 1 under current law. These men and women have worked hard for years, paid into the unemployment fund, and now find themselves without a job through no fault of their own. They are victims of the stagnant economy, and the economic news is not getting any better. Another 308,000 workers lost their jobs last month. New jobs are scarce. On average, there are three unemployed workers lined up for each job opening. The administration's own budget estimate acknowledges that unemployment will stay at its current high level for the rest of the year.

Where is our concern for these four million workers? Where is our sense of fairness? How can anyone argue that we have \$1.3 trillion for new tax breaks but do not have \$16 billion to help the unemployed and their families?

It is disturbing that our Republican colleagues are considering such an irresponsible budget at this very moment when our forces are risking their very lives for us in Iraq. Our colleagues would be foolish to expect the shock and awe of the war to distract the American people for long from noticing what is transpiring now in the arcane pages of this budget. They can see that the choices this budget makes will make their lives more difficult. It would be wise to reject this budget, and try again to get it right.

If we take inspiration from the willingness of our troops to make great personal sacrifices for America, it can mark the beginning of a new era of common purpose—a return to unselfish policies which truly reflect America's values.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHAMBLISS). Without objection, it is so ordered.

## THE BUDGET

Mr. CONRAD. Mr. President, we are on the verge of completing action on the budget resolution for this year. The occupant of the chair knows well that tomorrow we will turn our attention to the final amendments. There will be 40 amendments in order on our side, some number on the other side, and we will complete action by 4 o'clock on Wednesday.

These are momentous decisions that have very important long-term implications. So I thought I would take a moment today to review where we are, where we are headed, and to propose an alternative I will be asking my colleagues to vote on tomorrow, so that we have a chance to describe in some detail what the elements of the Democratic alternative are to the budget being proposed from the other side.

Let me start by reviewing where we are and reminding colleagues that just 2 years ago we were told we had some \$5.6 trillion in surpluses over the next decade. Now we know that if the President's tax and spending policies are adopted, instead of surpluses we will have \$2.1 trillion of deficits over the next 10 years. That is especially important, given the fact that the baby boom generation is poised to retire in this 10-year period. In fact, the baby boomers start to retire in 2008. This is an extraordinary reversal that has occurred, \$5.6 trillion in surpluses 2 years ago, \$2.1 trillion in deficits now. That is a \$7.7 trillion reversal.

Let's look at where the money went. This next chart shows where the money went. Obviously, some of it is because of the economic downturn, some of it is because of additional spending as a result of the attack on this country. The biggest reason for the disappearance of the surplus is the tax cuts that have been already passed and those that the President proposes. If you take those tax cuts and the associated interest costs, you see it is the biggest single reason for the disappearance of the surplus.

The second biggest reason is labeled here "other legislation." That is primarily spending—spending as a result of the increases for national defense and homeland security. That is where virtually all of the additional spending has gone.

The third biggest reason is technical changes, primarily lower revenues—revenues being lower than anticipated, not as a result of the tax cut but because the economic models incorrectly predicted what revenue would be for various levels of economic activity.

The smallest reason for the disappearance of the surplus is the economic downturn, although it has clearly played a role, at 9 percent.

I think what is most sobering about where we are and where we are headed is this chart from the President's own budget. This is from page 43 of his analytical perspectives. It takes the long view. It looks from 2002, going out to 2050, if the President's policies are

adopted, his tax cuts, his spending. What it shows is we never escape from deficit—never. And these are the good times; these deficits are the smallest as a percentage of our gross domestic product, even though they are record deficits in dollar terms. These are the largest deficits we have ever had in dollar terms.

This year, the deficit, not counting Social Security, will be over \$500 billion on a \$2.2 trillion budget. That is a very large deficit by any measure. But look at what happens if we adopt the President's plan. Those deficits get larger and larger and larger as we go forward because the cost of them explodes at the very time the cost of the Federal Government explodes and at the retirement of the baby boom generation.

Some are saying deficits don't really matter. Somehow, even people who, for their whole careers, believed deficits matter and that we ought to combat deficits are now saying, well, deficits don't really matter, that these are relatively small deficits in the percentage of GDP terms, and that we need not really worry about that.

Mr. President, I will say this. First of all, these are not small deficits: \$500 billion deficit on a \$2.2 trillion overall base is a deficit of over 25 percent. As a percentage of GDP, a \$500 billion deficit on a GDP of \$10.5 trillion is a deficit approaching 5 percent of GDP. That is in the range of the very large deficits we saw in the eighties.

Again, what I hope will be remembered is that these are deficits that are right on the verge of the retirement of the baby boom generation. That is when the cost to the Federal Government explodes. That is why these deficits are especially dangerous for the long-term economic security of the country.

For those who say deficits do not really matter, let's turn to Alan Greenspan who is the chairman of the Federal Reserve. He believes deficits matter. He said:

There is no question that as deficits go up, contrary to what some have said, it does affect long-term interest rates. It does have a negative impact on the economy, unless attended.

This chart is especially important because it shows why this matters so much. This shows the moment in time we are in and why the previous chart from the President's analysis shows this could be the sweet spot. It is because the trust funds of Medicare and Social Security are right now producing hundreds of billions of dollars of surpluses. This year the Social Security trust fund alone will produce over a \$160 billion surplus. That is the green bar on this chart. That is the Social Security trust fund. The blue bar, the smaller bar, is the Medicare trust fund. It is also producing surpluses, although substantially smaller than Social Security. One can see they are much larger in total than the tax cuts that are in place.

Look what happens in the next year. Then the size of the tax cuts almost equal the trust fund surpluses. That is true the rest of this decade. Then look what happens. As the trust funds start to go cash negative in the next decade, the cost of the tax cuts explodes. Let's reality test. We are already in record deficits now, the biggest deficits in dollar terms we have ever had. We are already in record deficit land. The biggest deficit on a unified basis—that means when we put everything into the pot, all spending, all expenditures, all revenue—the biggest deficit we ever had before was under the previous President Bush, \$290 billion—\$290 billion.

This year the deficit on a unified basis is going to be over \$400 billion. Remember, that does not count the \$160 billion that is being taken from Social Security trust fund surpluses. Put those together and we are over \$560 billion.

What is ominous about this is that as we go forward, when the trust funds turn cash negative, the cost of the President's tax cuts absolutely explodes, driving us right off the cliff, deeper and deeper deficits, deeper and deeper debt. That is going to present a future Congress and a future administration with extremely difficult choices.

Here is what the CBO Director, the Congressional Budget Office, put in place by our friends on the other side of the aisle. It was their choice for the Director of CBO. CBO is nonpartisan, but they had the opportunity to pick him because they were in the majority. This is what he said:

Put more starkly, Mr. Chairman, the extremes of what will be required to address our retirement are these: We'll have to increase borrowing by very large, likely unsustainable amounts; raise taxes to 30 percent of GDP, obviously unprecedented in our history; or eliminate most of the rest of Government as we know it. That is the dilemma that faces us in the long run, Mr. Chairman, and these next 10 years will only be the beginning.

That is what he is referring to there—only the beginning. This is going to get much more serious as the baby boom generation retires and as the cost of the President's tax cuts explode.

Some are saying: But this is a growth package, and we are going to grow out of this problem by more and more tax cuts. The so-called growth part of the President's tax proposal costs \$994 billion. The \$726 billion that is advertised in the newspapers forgets about the associated interest costs. If you reduce your revenue or increase your spending, that adds to your interest cost. When you take the whole cost together, it is \$994 billion in this 10-year period, but the first year stimulus is only \$40 billion. The President only has 4 percent of his package in the year in which we know we need lift to the economy. We know we need stimulus. He is only providing 4 percent of his package in that year. It does not make

much sense really if we are trying to get the economy moving again and yet not add in the long term to the deficits and debt that will make our future choices more difficult and more dangerous.

This is an analysis of what the President's plan does to economic growth. It was done by Macroeconomic Advisers. This firm is under contract to the White House to do their macroeconomic analysis. They are also under contract to our Congressional Budget Office. Here is what they say. They say that the President's plan crowds out investment and slows the economy after 2004. It is not a growth package at all. It is a package that will hurt growth, will retire growth, will reduce jobs, will reduce opportunity. Why? Because they have concluded the President's plan and the tax cuts in it are offset not by spending cuts but by borrowing the money. You cannot borrow your way to prosperity.

What happens because of the President's plan? We go deeper into deficit—remember, we are already in record deficit now. You cut revenue and you raise spending, which is the President's plan; you go deeper into deficit. You go deeper into deficit and you reduce the pool of societal savings. That reduces the pool of funds that is necessary for investment. Less investment, less growth, that is their conclusion. But it is not just their conclusion.

We also have an analysis by Economy.com, Mark Zandi, the noted economist there, on the economic impact of the President's plan, comparing it to the plan the Democrats have offered.

What they concluded is the plan offered by the Democrats is about twice as strong, is about twice as stimulative as the President's plan. In 2003, the President's plan would increase growth by four-tenths of 1 percent; the Democrats' plan by seven-tenths of 1 percent, almost twice as much. In 2004, the President's plan would increase growth by half of 1 percent; the Democrats' plan by nine-tenths of 1 percent. But I think the most interesting conclusion is the conclusion for the entire 10-year period. He has concluded that the President's plan actually hurts economic growth for the 10-year period. From 2003 to 2013, he finds that the President's plan is negative.

Why? Well, he says because of this crowding-out effect. Because the President's plan creates more deficits. That means more borrowing; that means the Federal Government is in competition with the private sector to borrow money; that drives up interest rates. When interest rates go up, economic growth goes down. That is the fundamental problem with the President's plan.

Again, it is not just Chairman Greenspan. It is not just macroeconomic advisers. It is not just economy.com. Two hundred fifty of the most prominent CEOs in America, who head the Committee for Economic Development, came out 2 weeks ago with a detailed

report that found the following: No. 1, current budget projections seriously understate the problem. In other words, the problem of deficits and growing debt is much bigger than has been acknowledged. No. 2, while slower economic growth has caused much of the immediate deterioration of the deficit, the deficits in later years reflect our tax and spending choices. No. 3, deficits do matter. No. 4, the aging of our population compounds the problem.

This is really a confirmation of everything I have been saying to my colleagues. Deficits do matter. Of course they matter, just like they matter to a family. A family cannot go out and spend more money than they have in income without it catching up to them at some point.

By the way, it does not happen right away. Just like to a family, one can run up those charge cards, spend more money than they have got coming in for awhile, but at some point it catches up to them. So, too, with nations, even great nations such as ours. We can spend more than we take in for awhile, but at some point the chickens come home to roost. We cannot have deficits that are growing as a percentage of our gross domestic product. That is what every economist will say. We cannot have deficits that grow consistently above the size of the growth of our economy, and that is the problem with the President's plan.

The deficits grow faster than the economy is growing—not just a little bit faster, a lot faster. That is what puts us in a very difficult circumstance.

Again, that is not just the opinion of the sources I have cited. From the *Virginian-Pilot*, Norfolk, VA, editorial:

Our challenge is to allow Americans to keep more of their money, the President said in his speech Tuesday. That was a sound argument when the Nation was building up a surplus year after year. But our financial outlook has changed for the worse. There is no money left over to give us back.

Remember 2 years ago when the President had his plan for a big tax cut and he said, we are only giving back one out of every four surplus dollars. Remember, the surpluses are gone. There are no surpluses. Now all we see is deficits and red ink. There is no money to give back.

They continue:

So the government will borrow billions to make good the President's IOU.

Americans should be skeptical about the promise of something for nothing. It is your tax cuts but it is also your Social Security, health care, schools and roads. They all suffer when the government has to borrow to meet its daily expenses.

It is not just the newspaper in Norfolk, VA. The *Deseret News*, Salt Lake City, UT, says:

Now is not the time to cut taxes. War is unpredictable. . . . A long protracted campaign that triggers counterattacks by terrorists and Iraqi sympathizers could be hugely expensive.

Boy, were they prescient because today we learned the President is going

to come up this week and ask for another \$75 billion for this year alone to wage the war in Iraq, not a dime of which is in the budget. None of that is in the budget.

Coupled with giant tax cuts, it could send the budget deficit back into levels not seen in a decade or more, which would stifle growth and hamper investment.

Exactly the points I have been trying to make to our colleagues during this budget debate.

Congress ought to put the President's tax plan on the shelf for awhile until it knows better how the men and women in uniform are going to be spending their year.

Let's look at the budget that has been proposed on the other side, because here is what we see: This year alone, the deficit will be somewhat less than the President has proposed, but still nearly \$500 billion, and it never goes away. This is all red ink. This is all borrowed money. Not a single year is the deficit below \$300 billion under the President's plan or under the plan that the Republicans are offering us in the Senate Chamber. It is truly stunning. Those are the biggest deficits we have ever seen.

It is not just deficits, but it is also the debt of the country. Two years ago, the President promised that under his plan he would virtually eliminate the debt by 2008. Well, we see that is no longer operative. If we enact the Senate GOP budget plan, the total debt of \$6 trillion in 2002 will be \$12 trillion in 2013, almost doubling in that period. Many of us think that would be a serious mistake.

This is what we see. This line across the chart at zero is baseline. That is if we do not change the revenue policy of the Federal Government, we do not change the spending policy of the Federal Government. That is the so-called baseline. If we adopt President Bush's budget, we can see \$2.8 trillion of added debt during this period. The Senate GOP plan would add \$2.2 trillion of debt. What is critical is that we are on the verge of the retirement of the baby boom generation. This is a time we ought to be paying down debt or prepaying liability. Instead, they are talking about dramatically expanding debt, either under the President's plan or the Senate GOP plan.

I am going to offer an alternative on behalf of Senate Democrats. These are the key elements of this plan: Instead of a \$1.6 trillion tax cut, we will offer a tax cut much more modest, one that is at the front end to give stimulus to the economy, that would cost \$61 billion. In terms of covering the costs of the Iraq war, there is no provision in the President's budget, no provision in the Senate Budget Committee's budget. We would provide the \$80 billion the President calls for.

On homeland security, the President and the Senate budget are in the \$22 billion to \$26 billion range for the 10 years. We would provide \$80 billion for homeland security, because we think it is necessary.

On a prescription drug benefit, both of them would provide \$400 billion during this 10-year period. We would provide \$594 billion for a fuller prescription drug benefit. Make no mistake, this is no Cadillac plan. To give the American people the plan that we as Members of Congress have over that period would cost not \$594 billion but \$1.8 trillion. To give the plan to the American people that our military has would cost \$2.2 trillion over that same period. So it is important to understand that while we are putting more money into prescription drugs than the President's plan or the Senate Republican plan, it is a long way from being generous. As I have indicated, \$594 billion is about one-third of the cost of giving the plan that all Federal employees have to the American people.

On education, there is no additional money for IDEA. That is the promise we made to States and local communities when we passed the Disabilities Act legislation for our schools. We said we would fund 40 percent of the costs. We only do half as much. To keep the promise to phase it in over 10 years costs \$73 billion. We provide for it. Neither the President nor the Senate GOP plan does.

On transportation infrastructure, the President actually cuts \$18 billion below the baseline, below level funding. The Senate GOP plan also cuts, but now it has been amended by a floor amendment, so they bump it up \$27 billion. We would provide \$71 billion over 10 years above the baseline. Why? Because, No. 1, it is stimulative. You start building roads and bridges. Those are good-paying jobs.

More than that, it increases the efficiency of our economy. If anyone doubts that, go to the Wilson Bridge tonight at 5:30 and see what is happening. Look at the people going nowhere. That has an economic cost to our society. Go out on Route 66 tonight and see what is happening there. Absolute gridlock. It is not just in the Washington metroplex, but all across America.

In my State of North Dakota, which is not heavily populated, we have a substantial part of our road and bridge network that needs repair. Many of the bridges in this country, something like 40 percent, are substandard. That will cost money to fix. If a bridge goes out, that creates lockjaw in the whole economic system of that area. That is something we ought to tend to.

There is no additional money in the President's budget or the Senate Republican budget for our Nation's veterans. We provide \$13 billion over the baseline to say to our veterans: We honor what you do to defend this country, and we believe the promise that has been made to you on your health care and on your treatment ought to be kept. Virtually everyone knows the baseline budget for veterans is insufficient. We try to address that with those additions.

The difference in deficits? The President adds \$2.1 trillion to deficits; \$1.6

trillion under the Senate GOP plan as amended; ours is \$863 billion. The difference between our plan and the President's plan is over \$1.2 trillion. We have \$1.2 trillion less in deficits than the President's plan. Our plan has \$750 billion less in deficits than the plan proposed by the Republican majority.

The President's plan never balances the budget. The Senate Republican plan balances in 2012, perhaps 2013. We balance in 2011. That is a wiser course for America and what we should do.

I very much hope that our colleagues give close consideration to this alternative budget when we vote. I will put more descriptions and detail of our alternative into the CONGRESSIONAL RECORD so it is available to our colleagues, so when we vote tomorrow on this alternative, Members will have a chance to make their own judgment and to compare very directly what we have proposed, what the President has proposed, and what the Senate majority has proposed. I hope very much that our colleagues will take a close look at what we are suggesting: \$1.2 trillion less in deficits than the President's plan; over \$750 billion less in deficits than the majority has proposed.

Yet we have also tried to address the war cost, which is not included in either the President's budget or the budget from the majority in the Senate. We have tried to address keeping the Federal Government's promise to local subdivisions on education funding.

We have also tried to address the transportation gridlock in the country by providing more funds, and the health care needs of America, by some additional funding on prescription drugs. And, of course, the other difference, the additional funding for our Nation's veterans, something we believe is especially called for in this time when they are sacrificing so much, half a world away in the battle with Iraq. Again, a budget is about choices. That is what we are doing. We are making choices on behalf of the American people.

What is the future going to look like? I believe the budgets proposed by the President and the Republican majority are dangerous for this country. I believe that deeply. They are pushing us deeper and deeper into deficit and debt right on the eve of the retirement of the baby boom generation. The cost of the President's tax cuts explode at the very time the cost to the Government explodes because of the retirement of the baby boom generation.

Remember, we are already in record deficits, and the retirement of the baby boomers is not 20 years away, it is not 10 years away; the leading edge of the baby boom generation starts to retire in 5 years.

I believe we will be condemned in history for failing to face up to our responsibilities and our obligations if we do not recognize what is right over the horizon. That is not a part of the pro-

jection. That is a matter of simple fact. The baby boomers have been born. They are alive today and they are going to be eligible for Social Security and Medicare. We know exactly what is going to happen.

The cost to the Federal Government of having twice as many people eligible for Social Security and Medicare in the years ahead can only do one thing: It will drive up dramatically the cost of Social Security and Medicare. And at the very time those costs expand and explode, the cost of the President's tax cut will expand and explode and put this country in deep deficit, in deep debt, and fundamentally threaten the economic security of this country.

I fear some of our colleagues actually intend to shred the programs of Social Security and Medicare. I don't know what other plan they can have in mind. These details, these projections of the spending and revenue of the Federal Government are very clear.

Some have said, well, if the economy grows more strongly, won't that help? Yes, it will help. But understand that all of these numbers assume strong economic growth. They assume the kind of economic growth we have had in the past.

Let me also say some will look at the plan that I have provided and say, gee, Senator, you have some more spending than the Republican plan. Yes, I do. I pay for this war. I increase funding for homeland security. I increase funding for our veterans. I increase funding for education and prescription drugs—just in those areas. The rest of the budget and domestic affairs we hold to a 4-percent increase. That means other parts of the budget are actually having to be cut in order to provide for the priorities for education and prescription drugs. Other parts of the budget are having to be cut.

Let me show a final chart with the long-term spending of the Federal Government from 1981 through 2013. The peak of Federal spending as a percentage of gross domestic product occurred in the 1980s when we were at 23.5 percent of gross domestic product going to the Federal Government. That has come down markedly, to less than 20 percent. Now we have had a jump back up because of the increased defense spending and increased homeland security spending.

Look at the difference between my budget and the Senate GOP plan. There is very little difference. We wind up at 19.3 percent of gross domestic product under the plan I am proposing, down from 23.5 percent in the early 1980s; the Republican plan goes to 18.8 percent, a one-half of 1 percent difference. That one-half of 1 percent is important because it is a matter of priorities. It is a matter of choices.

The budget I am proposing puts in the \$80 billion to fund this war in Iraq. Our friends on the other side do not have any money to fund the war.

No. 2, we provide additional funding for our Nation's veterans, \$13 billion,

not a lot of money over 10 years, but it is meaningful to them. It means we can keep promises we have made to them.

In the other major areas of difference, I have provided some additional funding for prescription drugs—again, a plan that is very modest compared to what Members of Congress and Federal employees have. I have also suggested additional funding for transportation because we need it. We need to improve the efficiency of our transportation system in this country.

Those are the choices that are going to be before our colleagues. The plan I have offered today is a plan that will produce, as I have indicated, \$1.2 trillion less in deficits than the President's plan; over \$750 billion less in deficits than the Senate GOP plan. That is important. That is critically important. I hope my colleagues will take a close look at this plan. I welcome their support. I urge them to give full consideration to it.

Finally, the other major difference is on education. The plan I have offered would move us toward keeping the promise we made to States and local jurisdictions all across America when we passed the IDEA act. We promised we would provide 40 percent of the funding. We are doing half of it. That is not good enough. When the Federal Government makes a promise, it ought to be kept.

Tomorrow, under the rules of the Senate, we will not have time to discuss these options. We will not have much time for debate at all. There will be a minute a side before the vote is called. But all of us will be held accountable for the choices we make tomorrow. They are choices not just for tomorrow and not just for this year, they are choices for the next decade.

There has rarely been a more important decade in terms of the choices being made. What we are about to see is something that has never happened in this country before, a circumstance where we have this baby boom generation that almost overnight is going to double the number of people eligible for our retirement programs in this country. Nobody will be able to say 10 years from now, when the crunch really hits, gee, we had no idea this was going to happen. Our colleagues are on notice. They know.

We have presented now, over and over, in great detail, where we are headed. The choice is ours to make. I hope we make it wisely.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The minority leader is recognized.

#### INDIAN HEALTH AMENDMENT TO THE BUDGET RESOLUTION

Mr. DASCHLE. Mr. President, through treaties and Federal statute, the Federal Government has promised to provide health care to American Indians and Alaska Natives. Sadly, we haven't come close to honoring that commitment. Tomorrow, I intend to offer an amendment to the budget resolution to rectify this situation.

The IHS is the only source of health care for many Indians, and is required to provide that help and that support, yet funding has never been adequate.

The chronic underfunding has grown even worse in recent years, as appropriations have failed to keep up with the steep rise in private health care spending.

While per capita health care spending for the general U.S. population is about \$4,400, the Indian Health Service spends only about \$1,800 per person on individual health care services. The Government also spends considerably less on health care for Indians that it spends for Medicare beneficiaries, Medicaid recipients, and veterans.

This level of funding is woefully inadequate to meet the health care needs of Native Americans—who have a lower life expectancy than other Americans, and disproportionately suffer from a number of serious medical problems. Indians have higher rates of diabetes, heart disease, sudden infant death syndrome, and tuberculosis. There is also a great need for substance abuse and mental health services.

More funds are needed at the IHS to provide necessary health care services to Indians.

The current shortage of funds has startling and disturbing results. Native Americans are often denied care that most of us would take for granted and, in many cases, consider essential. They can be required to endure long waits before seeing a doctor and may be unable to obtain a referral to see a specialist. As incredible as this may seem, many Indians and Alaska Natives seeking health care are subject to a literal "life or limb" test; that is unless their life is threatened or they risk losing a limb, their care is postponed. Others receive no care at all.

This rationing of care means that all too often Indians are forced to wait until their medical conditions become more serious—and more difficult and costly to treat—before they may have access to health care. This is a situation none of us would find acceptable. Yet today this is the reality in Indian country.

Last year, Gregg Bourland and Harold Frazier, then the chairman and vice chairman of the Cheyenne River Sioux Tribe, sent a letter to the IHS. This is how they describe the situation in Eagle Butte, SD:

In January and February 2002, the Eagle Butte Service Unit on the Cheyenne River Sioux reservation has been swamped with children with Influenza A, RSV [Respiratory Syntactical Virus], and one fatal case of

meningitis. There are only three doctors on duty, one Physician Assistant, and one Nurse Practitioner. The only pediatrician is the Clinical Director who will not see any patients, even though there is a serious need for the services of a pediatrician.

Several of these children have presented with breathing problems, high fever, and severe vomiting. The average waiting time at the clinic has been four and six hours. The average time at the emergency room is similar. Most babies have been sent home without any testing to determine what they have and with nothing but cough syrup and Tylenol. In at least three cases, the baby was sent home after these long waits two or more times with cough syrup, only to be life-flighted soon thereafter because the child could not breathe.

The children were all diagnosed by the non-IHS hospital with RSV [Respiratory Syntactical Virus]. No babies have died yet, but the Tribe sees no justification for waiting until this happens when these viruses are completely diagnosable and treatable.

It is absolutely unacceptable to put the lives of these children at risk. And we can do something to help. On more than one occasion, I have heard horror stories of pregnant mothers delivering children in circumstances that no expectant mother or child should have to endure.

For example, right now the service unit at Eagle Butte in South Dakota does not have an obstetrician. The Eagle Butte service unit is funded at 44 percent of the need calculated by the Indian Health Service. The facility has a birthing room and 22 beds, but there are only two to three doctors to staff the clinic, hospital and emergency room. Naturally, as a result, many children and expectant mothers do not receive the care they need and deserve. Due to budget constraints, the IHS policy is to allow only one ultrasound per pregnancy. The visiting obstetrician is available only every couple of weeks.

The story of Brayden Robert Thompson points out how dangerous this situation is. On March 3, 2002, Brayden's mother was in labor with a full-term, perfectly healthy baby. Brayden's umbilical cord was wrapped around his neck, but, without ultrasound, that went undetected. The available medical staff didn't know what to do about his lowered heartbeat, abnormal urinalysis or the fact that his mother was not feeling well. Despite the symptoms, IHS refused to provide an ultrasound or to send her to Pierre to see an obstetrician. Bryden was stillborn.

This tragic death was completely preventable, but tough choices are being made every day at IHS facilities throughout the country because there simply isn't enough money to provide the care that every American deserves.

The Pine Ridge Indian reservation in my State of South Dakota built a beautiful new hospital and health care center. In many ways, they are equipped to provide state-of-the-art, coordinated care. But they cannot retain healthcare professionals because of low payment schedules and inadequate training opportunities for local people.

Their shiny new labor and delivery rooms, surgery rooms and even dental

chairs stand empty, and individuals on the reservation are forced to travel long distances to receive these vital services. This also is the case on the neighboring Rosebud Indian reservation.

But this is not solely an Indian issue. It affects surrounding rural community hospitals, ambulance services, and other health care providers who work with IHS. For example, the Lake Andes-Wagner ambulance district in northeastern South Dakota is facing financial disaster, in part because they have not been reimbursed properly by the Indian Health Service.

This ambulance service offers emergency transport for citizens of Charles Mix County and Yankton Sioux tribal members, since the Wagner IHS hospital cannot afford to operate its own service. If this ambulance service shuts down, what will these residents—Indian and non-Indian—do when they face an emergency?

Bennett County Hospital in the southwestern part of South Dakota is located between the Pine Ridge and Rosebud Indian reservations, and suffers similar IHS reimbursement problems, as do other non-IHS providers in South Dakota and throughout rural America.

From 1998 to 2001, the most recent year for which IHS has data, IHS contract denials have increased 75 percent.

In his budget request for the next fiscal year, the President requested only \$1.99 billion for clinical services for Indians. This represents only a small increase over what the President requested for fiscal year 2003, and virtually no increase over what was finally included in the omnibus appropriations bill. We can and must do better.

The amendment I am proposing would increase funding for clinical services by \$2.9 billion over the President's request for fiscal year 2004. It is the minimal amount that is necessary to provide basic health care to the current IHS user population. The full cost over the next 10 years would be \$38.7 billion. The amendment also devotes an equal amount to deficit reduction, all offset by a corresponding decrease in the top tax rate reduction.

The amendment is cosponsored by Senators INOUE, BINGAMAN, DORGAN, MURRAY, WYDEN, JOHNSON, LEAHY, CANTWELL, REID, KENNEDY, and LIEBERMAN. It is also supported by a wide range of health organizations, native and non-native.

This budget resolution is a test of this Nation's priorities. Some will say that it doesn't matter, that it is purely symbolic. But the whole point of the budget resolution is to establish an enforceable fiscal framework and make room in our budget for needs that we believe are worthy of our national attention.

I know there are some in this body who honestly believe that it is more important to accelerate huge tax cuts for our Nation's wealthiest citizens than to provide Native Americans the health care they have been promised

but denied. Some defend that position by saying that someday, somehow, these Native Americans will benefit from the tax cuts extended to others, that the benefit will "trickle down" to them as well. It is their right to take that position, but they could not be more wrong.

A woman going into labor cannot wait for economic benefits to trickle down to her.

A child in respiratory distress cannot wait either. How is it possible that we can afford to delve deeper into debt to fund additional tax cuts for those doing relatively well in this country, but we cannot afford to dedicate a small fraction of that amount to fund the most basic health care services for some of the poorest people in America, today?

We must not tolerate this situation.

The problem is real; the solution is simple. Give the Indian Health Service the funds it needs to provide Native Americans the health benefits they were promised.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURNS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRAHAM of South Carolina. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHAMBLISS). Without objection, it is so ordered.

#### ADDITIONAL STATEMENTS

##### LOCAL LAW ENFORCEMENT ACT OF 2001

• Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. In the last Congress Senator KENNEDY and I introduced the Local Law Enforcement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred September 13, 2001 in Clarkston, GA. Four men cornered and assaulted a 22-year-old Sudanese man who was walking home late at night. The group of attackers stepped out in front of him and accused him of being involved in the terrorist attacks in New York. The men threatened, "You killed our people in New York. We want to kill you tonight." They shoved him against a wall and tried to stab him, slicing a hole in his shirt. Finally, when another Sudanese man rushed over to his friend's rescue, the four attackers fled.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.●

#### TRIBUTE TO PAULETTE CAREY

• Mr. BUNNING. Mr. President, I rise today to honor and pay tribute to Paulette Carey who was selected as the Veterans of Foreign Wars, VFW, National Citizenship Education Teacher Award winner for grades 6 through 8. She was chosen for her contributions as a teacher to classroom activities that have benefitted her students. Paulette was chosen among entries received from 53 VFW State and overseas headquarters.

As a teacher at Oldham County Middle School, Ms. Carey has demonstrated excellence in her classroom that has made all the difference in the lives of her students. Her commitment towards improving the quality of education in Kentucky's schools has proven her value as an educator.

I am glad that Paulette Carey chose to be a teacher in the Commonwealth of Kentucky, and it is a source of great pride to call attention to her excellence. The citizens from Oldham County are fortunate to call Paulette Carey one of their own. They are privileged to be served by such a fine educator. Her example should be followed by teachers across Kentucky.●

#### MESSAGES FROM THE PRESIDENT

Message from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### 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-69. A resolution adopted by the Borough of Middlesex, State of New Jersey, relative to the releasing of first responder funds to municipalities; to the Committee on the Judiciary.

\* \* \* \* \*

POM-70. A joint resolution adopted by the Legislature of the State of New Mexico relative to fully funding the Federal Government's share of special education services in public schools; to the Committee on Health, Education, Labor, and Pensions.

#### SENATE JOINT MEMORIAL 1

Whereas, since its enactment in 1975, the Federal Individuals with Disabilities Education Act has helped millions of children with special needs receive a quality education and develop to their full capacities; and

Whereas, the Federal Individuals with Disabilities Education Act has moved children

with disabilities out of institutions and into public school classrooms with their peers; and

Whereas, the Federal Individuals with Disabilities Education Act has helped break down stereotypes and dispel ignorance about people with disabilities, thus improving the quality of life and economic opportunity for millions of Americans; and

Whereas, when the Federal Government enacted the Individuals with Disabilities Education Act, it promised to fund up to forty percent of the average per special needs pupil expenditure in public elementary and secondary schools in the United States; and

Whereas, the Federal Government currently funds, on average, less than fourteen percent of the average per special needs pupil expenditure in public elementary and secondary schools in the United States; and

Whereas, local school districts and state government end up bearing the largest share of the cost of special education services; and

Whereas, the Federal Government's failure to adequately fulfill its responsibility to special needs children undermines public support for special education and creates hardship for disabled children and their families; Now, therefore, be it

*Resolved by the Legislature of the State of New Mexico* That the President and Congress be urged to fund forty percent of the average per special needs pupil expenditure in public elementary and secondary schools in the United States as promised under the Federal Individuals with Disabilities Education Act to ensure that all children, regardless of disability, receive a quality education and are treated with the dignity and respect they deserve; and be it further

*Resolved*, That copies of this Memorial be sent to the President of the United States, the Speaker of the House of Representatives of the United States, the President of the United States Senate and the Members of the New Mexico Congressional Delegation.

POM-71. A resolution adopted by the Legislature of the State of New Mexico relative to honoring the nations, tribes and pueblos of New Mexico; to the Committee on Indian Affairs.

#### SENATE MEMORIAL 18

Whereas, New Mexico's Nations, Tribes and Pueblos are centuries-old communities that established and continue to employ well-organized tribal self-governing systems; and

Whereas, the existence and significance of Indian self-government and tribal sovereignty over tribal homelands was acknowledged in New Mexico from the outset of European contact as evidenced by the early Spanish Land Grants, the recognition of civil and political rights by the independent Government of Mexico, the United States in the 1848 Treaty of Guadalupe Hidalgo and by the State in its Enabling Act of 1910; and

Whereas, the State has continued to recognize and respect the sovereign tribal governments of New Mexico through many state laws that encourage the use of cooperative agreements that authorize and encourage the Legislative, Executive and Judicial Branches of the New Mexico Government to coordinate and work cooperatively with the Nations, Tribes and Pueblos of New Mexico; and

Whereas, the Senate celebrates and honors the governments, leadership and contributions of the Nations, Tribes and Pueblos of New Mexico through an annual recognition day know as "American Indian Day", occurring this year on February 4, 2003; and

Whereas, the Governor is in the process of executing agreements reaffirming government-to-government relationships between the State and the Nations, Tribes and Pueblos of New Mexico; Now, therefore, be it

*Resolved by the Senate of the State of New Mexico* That it salute and honor the Nations, Tribes and Pueblos of New Mexico by reaffirming its recognition of their status as sovereign governments and the Legislature's commitment to interact with the Nations, Tribes and Pueblos on a government-to-government basis so as to promote intergovernmental cooperation, coordination and communication on all matters; and be it further

*Resolved*, That the New Mexico Congressional Delegation be encouraged to support and reaffirm the government-to-government relationship between states and tribes and the fundamental principle that Indian Nations, Tribes and Pueblos retain their inherent sovereign rights over their tribal lands except as provided by Congress in an act of law or by the ratification of a treaty; and be it further

*Resolved*, That the Senate express its high regard for the Pueblos, Nations and Tribes of New Mexico and all they have done to strengthen community through their willingness to work cooperatively with the State in many areas such as Taxation, Tourism, Environmental Protection, Social Services Delivery, Health, Education, Gaming and Public Safety; and be it further

*Resolved*, That copies of this Memorial be transmitted to each of the Nations, Tribes and Pueblos of New Mexico, the President of the United States, the New Mexico Congressional Delegation, the President and President Pro Tempore of the United States Senate, the Speaker of the United States House of Representatives and the New Mexico Legislative Council.

#### 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. WYDEN:

S. 692. A bill to require the Federal Trade Commission to issue rules regarding the disclosure of technological measures that restrict consumer flexibility to use and manipulate digital information and entertainment content; to the Committee on Commerce, Science, and Transportation.

By Mr. ALLARD (for himself and Mr. DAYTON):

S. 693. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to make volunteer members of the Civil Air Patrol eligible for Public Safety Officer death benefits; to the Committee on the Judiciary.

By Mrs. BOXER:

S. 694. A bill to require the Federal Trade Commission to monitor and investigate gasoline prices under certain circumstances; to the Committee on Commerce, Science, and Transportation.

By Ms. COLLINS (for herself, Mr. WARNER, Ms. LANDRIEU, and Mr. ROBERTS):

S. 695. A bill to amend the Internal Revenue Code of 1986 to increase the above-the-line deduction for teacher classroom supplies and to expand such deduction to include qualified professional development expenses; to the Committee on Finance.

By Mrs. HUTCHISON (for herself, Mr. BREAUX, Ms. COLLINS, Mr. DOMENICI, Mr. BAUCUS, Ms. LANDRIEU, Mr. CHAFEE, Mr. ALLARD, Mr. INHOFE, Mr. LOTT, and Mr. THOMAS):

S. 696. A bill to amend the Internal Revenue Code of 1986 to allow a tax credit for marginal domestic oil and natural gas well production and an election to expense geological and geophysical expenditures and

delay rental payments; to the Committee on Finance.

By Mr. HATCH:

S. 697. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of incentive stock options and employee stock purchase plans; to the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. FRIST (for himself and Mr. DASCHLE):

S. Con. Res. 28. A concurrent resolution authorizing the printing of the Biographical Directory of the United States Congress, 1774-2005; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 68

At the request of Mr. INOUE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 68, a bill to amend title 38, United States Code, to improve benefits for Filipino veterans of World War II, and for other purposes.

S. 189

At the request of Mr. WYDEN, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 189, a bill to authorize appropriations for nanoscience, nano-engineering, and nanotechnology research, and for other purposes.

S. 253

At the request of Mr. CAMPBELL, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 253, a bill to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns.

S. 274

At the request of Mr. GRASSLEY, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 274, a bill to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, and for other purposes.

S. 327

At the request of Mr. LEVIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 327, a bill to amend part A of title IV of the Social Security Act to allow up to 24 months of vocational educational training to be counted as a work activity under the temporary assistance to needy families program.

S. 330

At the request of Mr. CAMPBELL, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 330, a bill to further the protection and recognition of veterans' memorials, and for other purposes.

S. 392

At the request of Mr. REID, the names of the Senator from Rhode Island (Mr. CHAFEE), the Senator from

Oklahoma (Mr. INHOFE), the Senator from Florida (Mr. GRAHAM) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 392, a bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay by reason of their years of military service and disability compensation from the Department of Veterans Affairs for their disability.

S. 448

At the request of Mr. DODD, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 448, a bill to leave no child behind.

S. 457

At the request of Mr. LEAHY, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 457, a bill to remove the limitation on the use of funds to require a farm to feed livestock with organically produced feed to be certified as an organic farm.

S. 486

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 486, a bill to provide for equal coverage of mental health benefits with respect to health insurance coverage unless comparable limitations are imposed on medical and surgical benefits.

S. 486

At the request of Mr. DOMENICI, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 486, *supra*.

S. 518

At the request of Ms. COLLINS, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 518, a bill to increase the supply of pancreatic islet cells for research, to provide better coordination of Federal efforts and information on islet cell transplantation, and to collect the data necessary to move islet cell transplantation from an experimental procedure to a standard therapy.

S. 593

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 593, a bill to ensure that a Federal employee who takes leave without pay in order to perform service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment has occurred.

S. 595

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 595, a bill to amend the Internal Revenue Code of 1986 to repeal the required use of certain principal repayments on mortgage subsidy bond financings to redeem bonds, to modify the purchase

price limitation under mortgage subsidy bond rules based on median family income, and for other purposes.

S. 598

At the request of Ms. COLLINS, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 598, a bill to amend title XVIII of the Social Security Act to provide for a clarification of the definition of homebound for purposes of determining eligibility for home health services under the medicare program.

S. 623

At the request of Mr. WARNER, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 623, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 646

At the request of Mr. CORZINE, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 646, a bill to amend title XVIII of the Social Security Act to expand and improve coverage of mental health services under the medicare program.

S. 647

At the request of Mr. KENNEDY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 647, a bill to amend title 10, United States Code, to provide for Department of Defense funding of continuation of health benefits plan coverage for certain Reserves called or ordered to active duty and their dependents, and for other purposes.

S. CON. RES. 11

At the request of Mr. CRAPO, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. Con. Res. 11, a concurrent resolution expressing the sense of Congress regarding the Republic of Korea's continuing unlawful bailouts of Hynix Semiconductor Inc., and calling on the Republic of Korea, the Secretary of Commerce, the United States Trade Representative, and the President to take actions to end the bailouts.

S. CON. RES. 25

At the request of Mr. VOINOVICH, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. Con. Res. 25, a concurrent resolution recognizing and honoring America's Jewish community on the occasion of its 350th anniversary, supporting the designation of an "American Jewish History Month", and for other purposes.

S. CON. RES. 26

At the request of Ms. LANDRIEU, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. Con. Res. 26, a concurrent resolution condemning the punishment of execution by stoning as a gross violation of human rights, and for other purposes.

AMENDMENT NO. 355

At the request of Mr. DEWINE, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of amendment No. 355 intended to be proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 389

At the request of Mr. CONRAD, his name was added as a cosponsor of amendment No. 389 proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN:

S. 692. A bill to require the Federal Trade Commission to issue rules regarding the disclosure of technological measures that restrict consumer flexibility to use and manipulate digital information and entertainment content; to the Committee on Commerce, Science, and Transportation.

Mr. WYDEN. Mr. President, today I am introducing the Digital Consumer Right To Know Act. The thrust of this bill is quite simple. Digital media companies are racing to develop technologies to combat piracy. Some of these anti-piracy measures could have the effect of restricting lawful, legitimate consumer uses as well as unlawful copying. My bill says that if digital content is released in a form that prevents or limits reasonable consumers uses, consumers have a right to be told in advance.

The shift from analog to digital technologies carries many potential benefits for all concerned—for technology companies, for producers of music, video, and other content, and above all, for consumers. Digital technologies, together with the rise of the Internet, promise to expand exponentially the possibilities for circulating, marketing, manipulating, and using creative works. There is so much more you can do, and so many fertile fields for innovation.

The shift to digital, however, also carries twin risks. The first, and the one on which Congress has focused most of its attention to date, is the risk of piracy. Digital technologies can greatly facilitate unlawful copying and distribution. This is a real problem, because people and companies that create copyrighted works must be fairly compensated. America's information-based economy depends on it.

The second, closely related risk is that, in combating piracy, the baby will get thrown out with the bathwater. In the name of anti-piracy

protections, legitimate consumer uses could be stifled. Encryption or other "digital rights management", DRM, schemes could be employed that restrict consumers' ability to take full advantage of the potential of the new digital technologies. In the end, it's not inconceivable that digital media could be more restricted and less flexible than other copyrighted items—an ironic result for a technology that was supposed to represent a great step forward for consumers.

The bill I am introducing today focuses on this second risk. Significantly, it would not in any way dictate to content companies what types of copy protection or DRM schemes may or may not be used. Instead, it would ensure that consumers are fully informed of any impact on their ability to use and manipulate the content they buy.

Advance notice of technology-based use limitations is a matter of basic fairness. Consumers have developed a number of legitimate expectations concerning how they may use and manipulate content, and are likely to develop new expectations as technology develops. For example, consumers increasingly expect to be able to shift legally purchased content between different devices—to access it on their computers, or in their cars, or using portable devices like MP3 players. They should be told in advance if these expectations won't be met, so that they can factor this information into their purchasing decisions. Consumers should know what they are getting or not getting.

In addition, I believe that imposing this kind of notice requirement will help promote the development of solutions that strike an appropriate and acceptable balance between protecting against piracy and preserving utility and flexibility for consumers. Overly restrictive approaches would require disclosures that content providers could find embarrassing, and consumers could be alienated by measures that don't seem to respect the importance of user flexibility. In short, full disclosure would strengthen the market-based incentive to avoid technologies that are too restrictive of consumer flexibility.

My bill would also make a clear statement that Congress expects that there will be competition in the retail distribution of copyrighted digital content. This shouldn't be controversial: today, compact discs, books, and movie videos are distributed via many competing retail stores. They also often face competition with stores selling used content, and with rentals and libraries. But what if new DRM technologies permit copyright holders to limit or prevent the ability of unaffiliated entities to sell or distribute content on a secondhand basis? Could the copyright holder sharply reduce competition at the distribution level, and thus increase its market power? My legislation addresses this risk by ex-

pressing the sense of the Congress that it is important to retain competition among distribution channels for digital information and entertainment content.

As the debate over digital copyright issues continues, I intend to listen to all sides. This country needs balanced approaches that respect the interests of copyright holders and consumers alike. But the bill I introduce today is a significant step that Congress could take now that would protect consumers of digital content and promote market-based solutions, all without rewriting any copyright laws. I urge my colleagues to join me in this effort.

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. 692

*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 "Digital Consumer Right to Know Act".

**SEC. 2. CONGRESSIONAL FINDINGS AND PURPOSE.**

(a) FINDINGS.—Congress finds the following:

(1) Consumers have developed a number of legitimate expectations concerning how they may use and manipulate legally acquired information or entertainment content for reasonable, personal, and noncommercial purposes. In addition, as digital technology creates new ways to use and manipulate content, consumers are likely to develop new expectations that reflect the new technological possibilities.

(2) Digital technologies also can facilitate unlawful reproduction and distribution of information or entertainment content subject to copyright protection. To combat this problem, technology and content companies are developing and deploying technologies to prevent or deter such unlawful behavior.

(3) Such technologies could help promote a competitive digital marketplace in which consumers have a broad range of choices and media businesses can pursue a variety of business models. However, there are also significant risks.

(4) There is a risk that technologies developed to prevent unlawful reproduction and distribution of digital information and entertainment content could have the side effect of restricting consumers' flexibility to use and manipulate such content for reasonable, personal, and noncommercial purposes.

(5) There is a risk that such technologies could unfairly surprise consumers by frustrating their expectations concerning how they may use and manipulate digital content they have legally acquired.

(6) There is a risk that such technologies could result in greater market power for the holders of exclusive rights and reduce competition, by limiting the ability of unaffiliated entities to engage in the lawful secondhand sale or distribution of such content.

(b) PURPOSES.—The purposes of this Act are—

(1) to ensure that consumers of digital information and entertainment content are informed in advance of technological features that may restrict the uses and manipulation of such content, so that—

(A) consumers may factor this information into their purchasing decisions; and

(B) there will be a strong, market-based incentive for the development of technologies that address the problem of unlawful reproduction and distribution of content in ways that still preserve the maximum possible flexibility for consumers to use and manipulate such content for lawful and reasonable purposes; and

(2) to express the sense of Congress concerning the importance of retaining competition among distribution channels for digital information and entertainment content.

**SEC. 3. FAIR DISCLOSURE OF TECHNOLOGICAL USE RESTRICTIONS.**

(a) FTC RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Federal Trade Commission shall issue rules to implement the disclosure requirements described in subsection (b).

(b) DISCLOSURE REQUIREMENTS.—

(1) IN GENERAL.—If a producer or distributor of copyrighted digital content sells such content or access to such content subject to technological features that limit the practical ability of the purchaser to play, copy, transmit, or transfer such content on, to, or between devices or classes of devices that consumers commonly use with respect to that type of content, the producer or distributor shall disclose the nature of such limitations to the purchaser in a clear and conspicuous manner prior to such sale.

(2) MANNER OF DISCLOSURE.—The Federal Trade Commission shall prescribe the manner of disclosure required under this subsection, which may include labels on packaging or such other means as the Commission determines appropriate to achieve the purposes of this section. The Commission may prescribe different manners of disclosure for different types of content and different distribution channels.

(c) DISCLOSURE OF CERTAIN LIMITATIONS ON REASONABLE CONSUMER ACTIVITIES.—The following are examples of limitations which shall trigger the disclosure requirements of subsection (b):

(1) Limitations on the recording for later viewing or listening (popularly referred to as "time shifting") of audio or video programming delivered—

(A) via free over-the-air broadcasting; or

(B) as part of a multichannel video or audio system in which the consumer obtains the programming as part of a subscription package, with no per view charges and no ability to select the specific time at which individual programs will be delivered.

(2) Limitations on the reasonable and noncommercial use of legally acquired audio or video content—

(A) in different physical locations of the consumer's choice (popularly referred to as "space shifting"); or

(B) on the electronic platform or device of the consumer's choice, including platforms or devices requiring that the content be translated into a comparable format before such use.

(3) Limitations on making backup copies of legally acquired content distributed in a form or medium that is subject to accidental erasure, damage, or destruction in the ordinary course of use, including through computer failure or computer viruses, to be used only in the event that the original copies are lost or damaged.

(4) Limitations on using limited excerpts of legally acquired content for purposes such as criticism, comment, news reporting, teaching, scholarship, or research.

(5) Limitations on engaging in the secondhand transfer or sale of legally acquired content to another consumer, provided that the transferor does not retain the content or any copy thereof and that the transferee obtains only such rights to the use and enjoyment of

the content as the transferor possessed at the time of transfer.

(d) **EXCEPTION TO DISCLOSURE REQUIREMENT.**—The Federal Trade Commission shall not require disclosure under subsection (b) with respect to any limitation that applies only to uses—

(1) that are sufficiently unusual or uncommon that the burdens of prior disclosure would outweigh the utility to consumers; or

(2) that have no significant application for lawful purposes.

(e) **ANNUAL FTC REVIEW.**—On an annual basis, the Federal Trade Commission shall review the effectiveness of its rules implementing this section to determine whether revisions are warranted to serve the purposes of this section. In conducting this review, the Commission shall consider whether changes in technology or in consumer practices have led to new, legitimate consumer expectations concerning specific uses of digital information or entertainment content that would result in consumers suffering unfair surprise if a technology were to limit those uses without prior notice.

#### **SEC. 4. EFFECT ON OTHER LAWS.**

(a) **NO LIMITING EFFECT ON FAIR USE.**—Nothing in this Act shall be interpreted to suggest that a consumer activity not referred to in section 3(c) or in the Federal Trade Commission's rules implementing this Act may not constitute a fair use within the meaning of section 107 of title 17, United States Code.

(b) **UNLAWFUL REPRODUCTION OR DISTRIBUTION.**—Nothing in this Act shall be interpreted to permit the otherwise unlawful reproduction or distribution of copyrighted content or to shield a person engaging in such activity from any type of legal action or judgment.

#### **SEC. 5. COMPETITION IN DISTRIBUTION CHANNELS.**

It is the sense of Congress that—

(1) competition among distribution outlets and methods generally benefits consumers; and

(2) just as copyright holders have sold content embodied in tangible products such as audio cassettes, videotapes, and compact discs to multiple competing retail distributors, copyright holders selling digital content in electronic form for distribution over the Internet should offer to license such content to multiple unaffiliated distributors, to enable competition among different distribution models and technologies.

By Mrs. BOXER:

S. 694. A bill to require the Federal Trade Commission to monitor and investigate gasoline prices under certain circumstances; to the Committee on Commerce, Science, and Transportation.

Mrs. BOXER. Mr. President, gasoline prices on average in California are \$2.15 per gallon.

According to the U.S. Energy Information Administration, EIA, the cost of crude oil rose 16.4 percent from January 6 to March 3. During the same time period, the average retail price of gasoline rose 27.2 percent.

After seeing the statistics, I do not buy the argument that higher gasoline prices are due solely to higher crude oil prices. I am concerned that oil companies have been pocketing more profits as consumers pay record high gas prices.

I have been advised of news reports that refiners are taking more plants

than usual offline for "routine maintenance." This is reminiscent of the electricity crisis when generators took their plants off-line for "routine maintenance" at a rate higher than normal. We now know that these generators were holding back electricity to artificially increase the price of electricity.

In response to soaring gas prices across the country and especially in California and in response to potential manipulation, I am introducing legislation to shed light on the situation and hopefully curtail future market manipulation.

My legislation requires the Federal Trade Commission, FTC, to automatically investigate the gasoline market for manipulation anytime average gasoline prices increase in any state by 20 percent in a period of 3 months or less and remain at that level for seven days or more.

Market manipulation would include, but is not limited to, collusion or the creation of artificial shortages such as unnecessarily taking refineries off-line. In determining the trigger, the gasoline price used would be the Energy Information Agency's pricing of regular grade gasoline. A report on the FTC's investigation would be due to Congress 14 days after the price trigger.

Under the bill, the FTC would be required within two weeks of issuing the report to hold a public meeting to discuss the findings.

If the findings indicate that there is market manipulation, then the FTC would work with the state's Attorney General to determine the penalties.

If the findings indicate that there is no market manipulation, then the U.S. Department of Energy must officially decide, within two weeks, if the Strategic Petroleum Reserve should be used in order to ease prices and stabilize supply.

We need to deter market manipulation. Otherwise we risk serious price gouging with no accountability to consumers. My legislation offers a reasonable standard for an investigation and a reasonable time frame in which to complete that investigation. I believe the threat of these investigations and the public light that would be shed on the system will be positive for the consumer.

By Ms. COLLINS (for herself, Mr. WARNER, Ms. LANDRIEU, and Mr. ROBERTS):

S. 695. A bill to amend the Internal Revenue Code of 1986 to increase the above-the-line deduction for teacher classroom supplies and to expand such deduction to include qualified professional development expenses; to the Committee on Finance.

Ms. COLLINS. Mr. President, I am pleased today to rise to introduce the Teacher Tax Relief Act of 2003. I am joined by my colleagues, Senator LANDRIEU, Senator WARNER, and Senator ROBERTS, in introducing this legislation to help our teachers who selflessly reach deep into their own pockets to

purchase supplies for their classrooms or to engage in professional development.

Senators WARNER, LANDRIEU, ROBERTS and I have long led the effort to recognize the invaluable services that teachers provide each and every day to our children and to our communities. This tax relief is significant in that it recognizes the extra mile that our dedicated teachers go in order to improve the classroom experience for their students.

This legislation builds upon the tax relief that we authored, which was previously enacted in the economic recovery package in the last Congress. Our bill would double the amount that a teacher can deduct—from \$250 to \$500—and includes professional development expenses in the deduction. Our bill would also make this modest tax relief permanent, whereas the provision in the economic stimulus package is scheduled to sunset next year.

While our legislation provides financial assistance to educators, its ultimate beneficiaries will be our students. Other than involved parents, a well-qualified teacher is the single most important prerequisite for student success. Educational researchers have demonstrated, time and again, the strong correlation between qualified teachers and successful students. Moreover, educators themselves understand just how important professional development is to maintaining and expanding their level of competence.

When I meet with teachers from Maine, they repeatedly tell me of their desire and need for more professional development. But they also tell me that, unfortunately, school budgets are so tight that frequently the school districts cannot provide the assistance a teacher needs in order to take that additional course or pursue that advanced degree. As President Bush aptly put it, "Teachers sometimes lead with their hearts and pay with their wallets."

A recent survey by the National Center for Education Statistics highlights the benefits of professional development. The survey found that most teachers who had participated in more than eight hours of professional development during the previous year felt "very well prepared" in the area in which the instruction occurred. Obviously, teachers who are taking additional course work and pursuing advanced degrees become even more valuable in the classroom.

Increasing the deduction for teachers who buy classroom supplies is also a critical component of my legislation. So often teachers in Maine, and throughout the country, spend their own money to improve the classroom experiences of their students. While many of us are familiar with the National Education Association's estimate that teachers spend, on average, \$400 a year on classroom supplies, a new survey demonstrates that they are spending even more than that. According to a recent report from Quality

Education Data, the average teacher spends more than \$520 a year out of pocket on school supplies.

I have spoken to dozens of teachers in Maine who have told me of the books, rewards, supplies, and other materials they routinely purchase for their students.

Idella Harter is one such teacher. She told me of spending more than \$1,000 in a single year, reaching deep into her pocket to buy materials, supplies, and other treats for her students. At the end of the year, she started to add up all of the receipts that she had saved, and she was startled to discover they exceeded \$1,000. Idella told me at that point she decided she'd better stop adding them up.

Debra Walker is another dedicated teacher in Maine who teaches kindergarten and first grade in town of Milo. She has taught for more than 25 years. Year after year, she spends hundreds of dollars on books, bulletin boards, computer software, crayons, construction paper, tissue paper, stamps and inkpads. She even donated her own family computer for use by her class. She described it well by saying, "These are the extras that are needed to make learning fun for children and to create a stimulating learning environment."

Another example is Tyler Nutter, a middle school math and reading teacher from North Berwick, ME. After teaching for just two years, Tyler has incurred substantial "startup" fees as he builds his own collection of needed teaching supplies. In his first years on the job, he has spent well over \$500 out-of-pocket each year, purchasing books and other materials that are essential to his teaching program.

Tyler tells me that he is still paying off the loans that he incurred at the University of Maine-Farmington. He has car payments to make. He is saving for a house. And he someday hopes to get an advanced degree. Nevertheless, despite the relatively low pay he is receiving as a new teacher, he says, "You feel committed to getting your students what they need, even if it is coming out of your own pocket."

That is the kind of dedication that I see time and again in the teachers in Maine. I have visited nearly 100 schools in Maine, and everywhere I go, I find teachers who are spending their own money to improve their professional qualifications and to improve the educational experiences of their students by supplementing classroom supplies.

The relief we passed overwhelmingly in the last Congress was a step in the right direction. As Tyler told me, "It's a nice recognition of the contributions that many teachers have made." We are committed to building on this good work. We invite all of our colleagues to join us in recognizing our teachers for a job well done.

By Mrs. HUTCHISON (for herself, Mr. BREAUX, Ms. COLLINS, Mr. DOMENICI, Mr. BAUCUS, Ms. LANDRIEU, Mr. CHAFFE, Mr. ALLARD,

Mr. INHOFE, Mr. LOTT, and Mr. THOMAS):

S. 696. A bill to amend the Internal Revenue Code of 1986 to allow a tax credit for marginal domestic oil and natural gas well production and an election to expense geological and geophysical expenditures and delay rental payments; to the Committee on Finance.

Mrs. HUTCHINSON. Mr. President, I am introducing today legislation to provide tax incentives for marginal wells. As we look to long-term solutions to meet our needs for gasoline, electricity and home heating oil, marginal well tax incentives are critical to increasing supply and retaining our energy independence.

Senators representing all regions of the country, including the Northeast and Midwest, have a common interest: to make the United States less susceptible to the volatility of world oil markets by reducing America's dependence on foreign oil. I understand that when the price of home heating oil spikes in the Northeast, it hurts those Senators's constituents. They understand when the price of oil falls below \$10 a barrel—as it did several years ago and we lose 18,000 jobs as we did in Texas—that hurts my constituents. We understand that these are merely two sides of the same coin: a growing U.S. dependence on foreign oil.

In fact, at the heart of the marginal well tax credits is the goal of reducing our imports of foreign oil to less than 50 percent by the year 2012. It is incredible to me that America is sliding toward 60 percent dependence on foreign oil. As the sole remaining superpower in the world, and as the country with an economy that is the envy of the industrialized world, this threat to our economic as well as our national security is simply and totally unacceptable.

The core problem with our growing dependence on foreign oil is an underutilized domestic reserve base of both crude oil and natural gas. In 1992, we imported 46 percent of our oil needs from overseas. It is equally important to realize that in 1974, when America was brought to her knees by the OPEC oil embargo, we imported only 36 percent of our oil. Today we stand at over 56 percent imports. If the major oil producing countries of the world were ever to collectively sabotage U.S. interests as we have seen in the past with Iraq, they could wreak havoc with the American economy.

We simply must take steps today to increase the amount of oil and natural gas we produce right here at home. While shutting-off foreign oil completely may not be realistic, it is realistic to utilize our reserves much more than we do today. Marginal wells—those wells that produce less than 15 barrels of oil and less than 90 thousand cubic feet of natural gas per day—have the capacity to produce 20 percent of America's oil. This is roughly the same amount of the oil the U.S. imports from Saudi Arabia.

Much of this oil and gas could be produce in areas where it is being produced today, and has for decades, that is not environmentally sensitive. That is why I have advocated for tax incentives that would make it economically feasible for production to continue and actually increase in areas largely where production takes place today.

There are close to 400,000 such wells across the United States. Many of these wells are so small that, once they close, they never reopen. If we had had the marginal well tax provision in place several years ago before the oil price plummet, we would not have lost over 400,000 barrels per day of production due to small wells shutting down.

The overwhelming majority of producing wells in Texas are marginal wells. A survey by the Independent Producers Association of America, IPAA, found that marginal wells account for 75 percent of all crude production for small independent operators; up to 50 percent for mid-sized independents; and up to 20 percent for large companies. A sensible energy independence policy is to offer tax relief to producers of these small wells that would help them stay in business when prices fall below a break-even point. When U.S. producers can stay in business during periods of low prices, supply will be higher and help keep prices from shooting up too high.

The marginal well provision in the energy bill provides a maximum \$3 per barrel tax credit for the first 3 barrels of daily production from a marginal oil well, and a similar credit for marginal gas wells. The marginal well credit would be phased in-and-out in equal increments as prices for oil and natural gas fall and rise. For oil, in would phase in between \$18 and \$15 per barrel. In addition to the marginal well provisions, the bill includes tax incentives for delay rental payments and geological and geothermal expensing. These provisions will help producers locate and develop potential oil and gas properties.

We do not have to be at the whim of foreign countries or market forces beyond our control. Therefore, we've got to increase our domestic supply and I believe these energy tax incentives will do that.

#### SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 28—AUTHORIZING THE PRINTING OF THE BIOGRAPHICAL DIRECTORY OF THE UNITED STATES CONGRESS, 1774–2005

Mr. FRIST (for himself and Mr. DASCHLE) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 28

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

#### SECTION 1. AUTHORIZATION OF PRINTING.

(a) IN GENERAL.—There shall be printed as a Senate document a revised edition of the

Biographical Directory of the United States Congress for the period ending with the 108th Congress.

(b) SPECIFICATIONS.—The Senate document described in subsection (a) shall be in the style, form, manner, and binding as directed by the Joint Committee on Printing after consultation with the Secretary of the Senate and Clerk of the House of Representatives. The Office of the Secretary of the Senate, acting through the Historian of the Senate, and the Office of the Clerk of the House of Representatives, acting through the Legislative Resource Center, shall provide appropriate biographical data and other material for the revised edition, including data for—

(1) Senators and individuals who have served in both the Senate and the House of Representatives, to be provided by the Historian of the Senate; and

(2) Members of the House of Representatives (including Delegates and Resident Commissioners), to be provided by the Legislative Resource Center.

(c) NUMBER OF COPIES.—In addition to the usual number, there shall be printed with suitable binding the lesser of—

(1) 1,230 copies of the revised edition, of which 250 shall be for the use of the Senate, 930 copies shall be for the use of the House of Representatives, and 50 copies shall be for the use of the Joint Committee on Printing; or

(2) a number of copies that does not have a total production and printing cost of more than \$95,000.

#### NOTICES OF HEARINGS/MEETINGS

##### COMMITTEE ON RULES AND ADMINISTRATION

Mr. LOTT. Mr. President, I wish to announce that the Committee on Rules and Administration will meet at 9:30 a.m., Tuesday, April 8, 2003, in Room SR-301 Russell Senate Office Building, to conduct an oversight hearing on the operations of the Sergeant at Arms, Library of Congress and Congressional Research Service.

For further information concerning this meeting, please contact Susan Wells at 202-224-6352.

#### AUTHORIZATION FOR PRINTING OF BIOGRAPHICAL DIRECTORY OF CONGRESS

Mr. GRAHAM of South Carolina. Mr. President, I send a resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 28) authorizing the printing of the Biographical Directory of the U.S. Congress from 1774 through 2005.

There being no objection, the Senate proceeded to consider the resolution.

Mr. GRAHAM of South Carolina. Mr. President, I ask that the resolution be adopted and the motion to reconsider be laid upon the table.

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

The resolution (S. Con. Res. 28) was agreed to, as follows:

S. CON. RES. 28

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

#### SECTION 1. AUTHORIZATION OF PRINTING.

(a) IN GENERAL.—There shall be printed as a Senate document a revised edition of the Biographical Directory of the United States Congress for the period ending with the 108th Congress.

(b) SPECIFICATIONS.—The Senate document described in subsection (a) shall be in the style, form, manner, and binding as directed by the Joint Committee on Printing after consultation with the Secretary of the Senate and Clerk of the House of Representatives. The Office of the Secretary of the Senate, acting through the Historian of the Senate, and the Office of the Clerk of the House of Representatives, acting through the Legislative Resource Center, shall provide appropriate biographical data and other material for the revised edition, including data for—

(1) Senators and individuals who have served in both the Senate and the House of Representatives, to be provided by the Historian of the Senate; and

(2) Members of the House of Representatives (including Delegates and Resident Commissioners), to be provided by the Legislative Resource Center.

(c) NUMBER OF COPIES.—In addition to the usual number, there shall be printed with suitable binding the lesser of—

(1) 1,230 copies of the revised edition, of which 250 shall be for the use of the Senate, 930 copies shall be for the use of the House of Representatives, and 50 copies shall be for the use of the Joint Committee on Printing; or

(2) a number of copies that does not have a total production and printing cost of more than \$95,000.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. GRAHAM of South Carolina. I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Calendar: Calendar Nos. 80, 81, 82, 83, and 84. I further ask unanimous consent that the nominations be confirmed en bloc, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and that the Senate return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

##### DEPARTMENT OF JUSTICE

Gregory A. White, of Ohio, to be United States Attorney for the Northern District of Ohio for the term of four years.

Thomas Dyson Hurlburt, Jr., of Florida, to be United States Marshal for the Middle District of Florida for the term of four years.

Christina Pharo, of Florida, to be United States Marshal for the Southern District of Florida for the term of four years.

Dennis Arthur Williamson, of Florida, to be United States Marshal for the Northern District of Florida for the term of four years.

Richard Zenos Winget, of Nevada, to be United States Marshal for the District of Nevada for the term of four years.

#### LEGISLATIVE SESSION

#### ORDERS FOR TUESDAY, MARCH 25, 2003

Mr. GRAHAM of South Carolina. 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 25. I further ask that following the prayer and the 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 resume consideration of S. Con. Res. 23, the budget resolution, as provided under the previous order.

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

#### PROGRAM

Mr. GRAHAM of South Carolina. For the information of all Senators, we will return to the budget resolution tomorrow morning. The chairman and ranking member of the Budget Committee have exchanged copies of the final amendments that remain in order to the resolution. We now have a number of amendments to dispose of prior to a final vote on the resolution. The Senate will begin voting on these remaining amendments upon convening tomorrow morning. Members are asked to remain in the Chamber during the second phase of the so-called vote-arama. With the cooperation of all Members, we will be able to move through the remaining amendments in a more efficient and orderly manner. The Senate will proceed to a final vote on the budget resolution no later than 4 p.m. on Wednesday. Therefore, I would advise my colleagues that we have a lot of work before us this week.

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

Mr. GRAHAM of South Carolina. 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 5:48 p.m., adjourned until Tuesday, March 25, 2003, at 9:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate March 24, 2003:

##### NATIONAL MUSEUM SERVICES BOARD

JOHN E. BUCHANAN, JR., OF OREGON, TO BE A MEMBER OF THE NATIONAL MUSEUM SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2006, VICE RUTH Y. TAMURA, TERM EXPIRED.

##### DEPARTMENT OF VETERANS AFFAIRS

DEE ANN MCWILLIAMS, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF VETERANS AFFAIRS, VICE JACOB LOZADA, RESIGNED.

##### DEPARTMENT OF STATE

ROGER FRANCISCO NORIEGA, OF KANSAS, TO BE AN ASSISTANT SECRETARY OF STATE (WESTERN HEMISPHERE AFFAIRS), VICE OTTO J. REICH.

##### DEPARTMENT OF TRANSPORTATION

ANNETTE SANDBERG, OF WASHINGTON, TO BE ADMINISTRATOR OF THE FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION, VICE JOSEPH M. CLAPP, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE, UNDER TITLE 10, U.S.C., SECTIONS 624 AND 1552:

*To be lieutenant colonel*

LAWRENCE MERCADANTE, 0000

THE FOLLOWING NAMED OFFICERS FOR A REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant colonel*

STANLEY J. BUELT, 0000  
CHRISTOPHER W. CASTLEBERRY, 0000

THE FOLLOWING NAMED OFFICERS FOR A REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U. S. C., SECTION 531:

*To be major*

EUGENE L. CAPONE, 0000  
LARRY L. EARLS JR., 0000  
TIMOTHY PARKS FAABORG, 0000  
MICHAEL S. FAIDLEY, 0000  
ROBERT B. FAUBER, 0000  
JAMES T. FOX, 0000  
JOHN C. HACKETHORN II, 0000  
ROY S. HALEY, 0000  
CHRISTOPHER F. HALL, 0000  
JOSEPH C. LINDEN II, 0000  
EDWARD C. MARAIST, 0000  
JAMES R. PUTLOCK, 0000  
JOHN M. RYON, 0000  
GARRETT G. SANBORN, 0000  
DAVID T. SCHIFFERT, 0000  
JAMES D. SHERIDAN, 0000  
JOHN F. SHIRTZ, 0000  
JOHN D. THOMAS, 0000  
BRIAN E. TUCKER, 0000  
THERRILL B. VALENTINE, 0000  
TODD V. WILSON, 0000  
SONYA L. WOFFORD, 0000  
ALLEN L. WOMACK, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS A PERMANENT PROFESSOR, UNITED STATES MILITARY ACADEMY, IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 4333 (B):

*To be colonel*

JAMES R. KERIN JR., 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be colonel*

SEAN T. MULCAHY, 0000  
STEVEN H. MATTOS, 0000

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

FRANKLIN MCLAIN, 0000

THE FOLLOWING NAMED OFFICERS FOR THE ORIGINAL REGULAR APPOINTMENT AS PERMANENT LIMITED DUTY OFFICERS TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 5589:

*To be captain*

BRYAN DELGADO, 0000  
ROBERT A. DILL, 0000  
BRENT L. ENGLISH, 0000  
TIMOTHY O. EVANS, 0000  
DANA R. FIKE, 0000  
SCOTT A. FORTENBERRY, 0000  
MARC G. GERADS, 0000  
DONALD L. HULTZ, 0000  
BRUCE A. JONES, 0000  
JAMES R. KELLER, 0000

DELMAR J. LAKE, 0000  
SAL L. LEBLANC, 0000  
ROBERT E. MCLELLAN, 0000  
MARK A. MITCHELL, 0000  
ANTHONY M. NESBIT, 0000  
RODOLFO D. QUISPE, 0000  
FRANCISCO C. RAGSAC, 0000  
SERENA REID, 0000  
GEORGE L. ROBERTS, 0000  
EDWARD T. SEIFERT, 0000  
PAUL A. SHIRLEY, 0000  
KELLEY S. SILARD, 0000  
JOHN D. SOMICH, 0000  
BRIAN T. THOMPSON, 0000  
NATHAN J. TOWNSEND, 0000  
MARK W. WASCOM, 0000  
STANLEY M. WEEKS, 0000  
DALE A. WESNER, 0000  
PAUL A. ZACHARZUK, 0000

CONFIRMATIONS

Executive nominations confirmed by the Senate March 24, 2003:

DEPARTMENT OF JUSTICE

GREGORY A. WHITE, OF OHIO, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF OHIO FOR THE TERM OF FOUR YEARS.

THOMAS DYSON HURLBURT, JR., OF FLORIDA, TO BE UNITED STATES MARSHAL FOR THE MIDDLE DISTRICT OF FLORIDA FOR THE TERM OF FOUR YEARS.

CHRISTINA PHARO, OF FLORIDA, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF FLORIDA FOR THE TERM OF FOUR YEARS.

DENNIS ARTHUR WILLIAMSON, OF FLORIDA, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF FLORIDA FOR THE TERM OF FOUR YEARS.

RICHARD ZENOS WINGET, OF NEVADA, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF NEVADA FOR THE TERM OF FOUR YEARS.

# EXTENSIONS OF REMARKS

## PERSONAL EXPLANATION

### HON. KAREN MCCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 24, 2003

Ms. MCCARTHY of Missouri. Mr. Speaker, during rollcall vote No. 82, I was unavoidably detained. Had I been present, I would have voted "nay."

## TROOPS SHOULD RECEIVE REQUIRED MEDICAL SCREENINGS

### HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 24, 2003

Mr. MOORE. Mr. Speaker, with our country's troops now entering into active combat in Iraq, I want to bring to your attention and to the attention of my fellow Representatives an issue made even more timely by the events of the past twenty-four hours.

On March 13th, I sent to Defense Secretary Rumsfeld a letter which I am including in the RECORD with this statement. I encouraged the Secretary to assure that all troops entering the Iraqi area receive medical examinations before and after deployment. The Kansas City Star recently carried an informative article, also included here, summarizing a law enacted by Congress in 1997 that requires such physical and mental screening of our troops, due to the many unexplained illnesses that followed service in the 1991 Persian Gulf War.

Our fighting men and women serving in the Middle East face a genuine, immediate threat of biological and chemical weapons. We owe them no lesser level of service and dedication than they are providing in defense of our country. I hope all members of Congress will join with me in ensuring that the commitments made to the members of our Armed Forces in 1997 are kept in 2003 and afterward.

HOUSE OF REPRESENTATIVES,

Washington, DC, March 13, 2003.

Hon. DONALD RUMSFELD,  
Secretary, Department of Defense, The Pentagon, Washington, DC.

DEAR MR. SECRETARY: I am writing to express my concern regarding a recent article I read in the Kansas City Star March 5, 2003, entitled: "Troops are not receiving medical screenings required by 1997 law." I have enclosed the article for your review.

The article asserts that troops entering the Iraqi area are not receiving medical examinations before and after deployment. As you know, Congress mandated in 1997 that all troops receive such tests to help in identifying future ailments such as Gulf War syndrome which has been extremely difficult to document and treat following the 1991 Gulf War.

I strongly urge the Department of Defense follow the 1997 mandate and if the DOD needs help fulfilling this mandate to accept the Veterans Administration's offer of help to collect and maintain medical information on all troops entering southwest Asia.

I look forward to your response on this important matter.

Very truly yours,

DENNIS MOORE,  
Member of Congress.

[From the Kansas City (KS) Star, Mar. 5, 2003]

## TROOPS ARE NOT RECEIVING MEDICAL SCREENINGS REQUIRED BY 1997 LAW

(By David Goldstein)

WASHINGTON.—Troops heading for the Iraqi theater are not getting health screenings, especially blood sampling, mandated by a law Congress enacted in 1997.

The law, which grew out of concern about unexplained illnesses that followed the 1991 gulf war, required that troops receive mental and medical examinations before and after deployment overseas. The tests are intended to provide clues in case the phenomenon known as gulf war syndrome should recur.

Instead, the Pentagon requires only a brief, one-page questionnaire asking for general health-related information. A top Pentagon health official said blood tests would not be especially useful.

About 300,000 American personnel are now at jumping-off points near Iraq or on their way. Many consider U.S. troops much more likely than in the 1991 war to face biological and chemical weapons.

"The majority of the troops have already deployed . . . and therefore we're not going to have a good picture of their health," said Steve Robinson, a gulf war veteran and executive director of the National Gulf War Resource Center.

"Once again, if soldiers are exposed, we do not have baseline (medical) data required to document their status. You're looking at gulf war illness 2."

The Pentagon insists that it has followed the law.

"If the intent was to make sure we had better documentation—yes, we are in compliance," said Michael Kilpatrick, a physician who is deputy director of deployment health support at the Pentagon.

Veterans affairs activists, health care experts and congressional watchdogs are unconvinced.

The law, signed by then-President Bill Clinton, was enacted in response to a chorus of health complaints from gulf war veterans. Many reported a variety of ailments, including headaches, memory loss, rashes, equilibrium problems and loss of motor skills.

The causes were unknown, despite numerous medical studies. Some veterans pointed to the release of chemical or biological agents when Iraqi stockpiles were bombed, the military's hurried vaccinations against those agents, desert diseases and parasites or pollution from burning oil wells.

The syndrome has caused a bitter battle between veterans and the Pentagon, which has refused to recognize it, and the Department of Veterans Affairs, which has had to decide whether claims for medical compensation are valid.

Democratic Sen. John Kerry of Massachusetts, a former veterans affairs activist, called the Pentagon's program troubling.

"What's the message we're sending to our troops around the world today and those prepared to fight in Iraq?" he asked. "The message seems to be, 'Do your duty to country, but your country won't fulfill its duty to you if you're lucky enough to return home.'"

Kerry, a candidate for the Democratic presidential nomination in 2004, has asked the General Accounting Office to investigate whether Defense has met its requirements.

In addition, leaders of the Senate Committee on Veterans' Affairs have asked for a detailed account of Pentagon efforts to track medical data on battlefield troops.

Last month, Veterans Affairs Secretary Anthony Principi wrote to Defense Secretary Donald Rumsfeld and said the VA wanted to work closely with the Pentagon to collect

"health and exposure data" on those deployed in southwest Asia.

"Much of the controversy over the health problems of the veterans who fought in the 1991 war with Iraq could have been avoided had more extensive surveillance data been collected," Principi wrote.

Mark Brown, a VA toxicologist who has been investigating gulf war illnesses, said Principi's letter was intended to put the VA "on the public record" about its concerns.

The Pentagon's approach, he said, "certainly wasn't adequate in the first gulf war. Have they learned their lesson and done better? Maybe we'll be pleasantly surprised."

The law requires the Secretary of Defense to "establish a system to assess the medical condition of members of the armed forces," including reserves, deployed outside the United States for combat, peacekeeping missions or humanitarian operations.

Kilpatrick said the Pentagon's program was "an evolving process" and part of a concept called "Force Health Protection" that was put in place during the Kosovo conflict in 1996.

Some health officials with the Defense Department appear not to have known what Congress required.

Some gulf war medical researchers proposed a study to the Pentagon a year ago that would track some troops in post-Sept. 11 military operations. The proposed study unknowingly mirrored the elements of the law, and a medical official wrote back, "This sound like something we need to investigate further as something we could like to support."

The project involved studying the Rhode Island National Guard. David Haines, an immunologist affiliated with George Washington University, said he discovered a month ago that the Department of Defense was supposed to be doing the blood sampling that he and his colleagues had proposed to do on a small scale.

"We will do the right thing and step back if DOD is doing great things, but we don't believe DOD has anything like that in place," he said.

According to Kilpatrick, a brief questionnaire is basically the military's response to the congressional mandate because it has other steps already in place.

In the questionnaire troops are asked how they would rate their health, from excellent to poor. They are also asked whether they have any medical or dental problems, whether they wear glasses and whether they have concerns about possible "exposures or events during this deployment."

Anyone answering "yes" to certain questions will be referred for further examination. Rick Weidman of the lobbying group Vietnam Veterans of America, calls the questionnaire "absolutely useless from an epidemiological point of view."

"There's nothing about susceptibility to skin rashes or any of the derivative diseases that are due to some of these kinds of exposures," he said, "and there is no psychological exam. Nothing."

According to Kilpatrick, troops are asked whether they have sought mental health counseling within the past two years, but the military has to rely on personnel being truthful.

"If people say, 'My mental status is fine,' we are not stopping to engage in a three-hour survey to assess people's mental status," Kilpatrick said. "If we are preparing to deploy 20,000 troops, it's physically impossible."

A key element of the 1998 law is the taking of blood samples to establish a medical baseline and help identify possible subsequent exposures to toxic materials. The absence of

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

such tests on veterans of the 1991 gulf war has handicapped researchers.

Blood is always taken for HIV testing, Kilpatrick said, and those samples are in storage. But fresh samples will be taken only if the serum on file is more than a year old, he said.

He disputed the idea that additional sampling would be helpful because the biological markers of many toxic agents disappear from the bloodstream within hours or days of exposure.

Also, Kilpatrick said, troops are physically evaluated every five years, except for pilots, who are tested more frequently. Medical histories were more valuable to researchers than "hands-on" physical exams, he said.

But gulf war medical researchers said the Pentagon's plan is a missed opportunity, especially considering the threat of weapons of mass destruction.

"We can run into the same thing all over again," said Lea Steele, a Kansas Institute of Health epidemiologist who has studied gulf war veterans. "One of the difficulties of the gulf war was we didn't have any evidence prior to the war. It was hard to link illnesses."

"Now that we're becoming a second time deeply involved in Iraq . . . there is no established protocol that would be very valuable. Some people say Saddam Hussein has less to lose now. He may be more likely to use these things."

A TRIBUTE TO JAMES W.  
LAUGHLIN

**HON. TOM DAVIS**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 24, 2003*

Mr. TOM DAVIS of Virginia. Mr. Speaker, today I pay tribute to James W. Laughlin—one of our Federal Government's finest public servants and a long time resident of the Commonwealth of Virginia. This March he will retire from an exceptionally distinguished career of service to his country. He has served our Nation as a career civil servant for over 42 years. He has been an exceptional leader and has played a key role in ensuring effective financial management for the Department of Defense. It gives me pride to have the opportunity to honor him today for his tremendous accomplishments.

Mr. Laughlin began his career with the Navy in the financial management field working for various field activities. He progressed to a supervisory budget analyst in the Office of the Navy Comptroller where he was responsible for the Navy's operation and maintenance and civilian manpower programs. In 1974 he transitioned to the Office of the Department of Defense Comptroller.

Mr. Laughlin first served in the Department of Defense Comptroller office as a budget analyst in the Research and Development Directorate, responsible for reviewing the Navy and Air Force multi-billion dollar aircraft programs. He then moved to the Military Personnel Directorate where he was responsible for reviewing the Navy and Marine Corps military personnel appropriations.

Since 1982, Mr. Laughlin has been the senior budget analyst for Military Personnel appropriation matters—a portfolio that totals over \$93 billion this year. Mr. Laughlin is an acknowledged expert on Military Personnel funding issues both inside the Pentagon and on Capitol Hill, particularly in the areas of concurrent receipt, military wage credits, and retired pay issues.

Senior leaders, both in the Congress and the Department of Defense, have benefited from his experience, outstanding leadership and distinguished performance. His efforts have enabled our nation's leaders to make the most effective use of defense resources to en-

sure America's military strength. On behalf of my colleagues, I thank him for his service to our country and wish him well on his retirement.

PERSONAL EXPLANATION

**HON. MIKE ROGERS**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 24, 2003*

Mr. MIKE ROGERS of Michigan. Mr. Speaker, on the legislative day of Thursday, March 20, 2003, the House voted on H. Con. Res. 104, expressing support and appreciation for our Armed Forces and the President participating in Operation Iraqi Freedom. On House rollcall vote No. 83, I was unavoidably detained. Had I been present, I would have voted "yea."

COMMENDING CALIFORNIA WOMEN  
FOR AGRICULTURE IN HONOR OF  
NATIONAL AGRICULTURE DAY

**HON. GEORGE RADANOVICH**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 24, 2003*

Mr. RADANOVICH. Mr. Speaker, I rise today to commend the California Women for Agriculture as they honor National Agriculture Day. The California Women for agriculture is hosting Agriculture Day in LA! at Moor Field in Alhambra, California on March 21, 2003 to commemorate this day.

In its 30th year, the National Agriculture Day program is committed to increasing public awareness about American agriculture. Producers, agricultural associations, corporations, universities, government agencies, and countless others across America will gather on this first day of spring to celebrate the abundance provided by agriculture. National Agriculture Day focuses on educating Americans about career opportunities available in the agriculture, food, and fiber industry.

As one of California's major organizations, California Women for Agriculture helps to "supply knowledge and skills necessary to convey the mutual benefits of a vibrant agricultural economy and healthy rural communities to those who are in positions to impact the future of agriculture in California." California Women in Agriculture, along with the Agricultural Awareness and Literacy Foundation and Alhambra School District, will be hosting the event for 1,200 inner city 3rd grade students who will be learning about food, fiber, flowers, and forests. The goal of the program is to teach students about agriculture and its importance in our everyday lives. The students will participate in a hands-on learning environment with crops, farm equipment, and live animals. They will learn how it contributes to our healthy, affordable food supply; offers many different careers, cares for the environment and creates a diverse food supply.

Mr. Speaker, it is my pleasure to commend California Women for Agriculture as they honor National Agriculture Day on its 30th Anniversary. I urge my colleagues to join me in wishing the California Women for Agriculture many years of continued success.

EXPRESSING SUPPORT AND AP-  
PRECIATION FOR THE PRESI-  
DENT AND MEMBERS OF THE  
ARMED FORCES PARTICIPATING  
IN OPERATION IRAQI FREEDOM

SPEECH OF

**HON. JOHN B. LARSON**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 20, 2003*

Mr. LARSON of Connecticut. Mr. Speaker, I rise in strong support of the men and women who wear the uniform and protect our freedoms. I rise on behalf of their families and loved ones who wait and pray for their speedy and safe return.

This is a solemn moment for the Nation. There has been disagreement here at home and abroad about the policies of preemption. The men and women who wear the uniform don't make policy. They are neither diplomats nor politicians. They are soldiers and their duty is to salute and follow orders. Every member of Congress joins in unwavering support of them and their families for their sacrifice.

I have openly disagreed with the policies that have led us to this moment. This evening we pause as a Congress to salute and honor our troops. And while I strongly disagree with the Administration's policies, this is not the resolution or forum to express my differences. This evening our hearts, our prayers, and our gratitude goes out to the uniformed members of the armed services. God bless them. God bless America.

EXPRESSING SUPPORT AND AP-  
PRECIATION FOR THE PRESI-  
DENT AND MEMBERS OF THE  
ARMED FORCES PARTICIPATING  
IN OPERATION IRAQI FREEDOM

SPEECH OF

**HON. LINCOLN DIAZ-BALART**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 3, 2003*

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, as we begin this arduous process of disarming Saddam Hussein of his weapons of mass destruction, I wish to thank our brave men and women in uniform for their service. Let us pray for their safe return to their homes and families.

During my career in the House, I've continually been struck by the dedication of those who wear this Nation's uniform. Prepared to offer the ultimate sacrifice, they serve for love of their country, for the safety of each one of us, and for the cause of freedom throughout the world.

The expertise and professionalism of our service men and women is without parallel. They understand the significance of their mission, and the dangers, but they will complete this task that has been laid before them.

Their mission is to disarm one of the greatest threats to the free and peaceful people of the world. The Iraqi people will no longer suffer from the horror of Saddam's regime. We must ensure our armed forces can complete this job knowing their country is fully behind their efforts.

God bless our brave men and women.

## PERSONAL EXPLANATION

**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 24, 2003*

Mr. LANTOS. Mr. Speaker, on Rollcall No. 83, recorded on Friday, March 21, 2002 at 3:00 a.m., I was unable to cast my floor vote due to miscommunication with floor staff. This vote was on H. Con. Res. 104, expressing the support and appreciation of the Nation for the President and the members of the Armed Forces who are participating in Operation Iraqi Freedom. As my colleagues can attest, I am a strong support of our Armed Forces and of our operations in Iraq. Had I been able to vote, I would have voted "aye" to Rollcall Vote No. 83.

EXPRESSING SUPPORT AND APPRECIATION FOR THE PRESIDENT AND MEMBERS OF THE ARMED FORCES PARTICIPATING IN OPERATION IRAQI FREEDOM

SPEECH OF

**HON. MICHAEL N. CASTLE**

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 20, 2003*

Mr. CASTLE. Mr. Speaker, I thank the House Leadership for introducing this important resolution. Today, we recognize, support, and commend our brave service men and women for their dedication, for their sacrifice, and for their supreme love of country. We thank and honor those who serve on behalf of liberty and freedom.

Our Nation has committed our military to defend the world from grave danger and to assure the security for all nations by disarming Saddam Hussein. For more than 4½ months, this brutal dictator has ignored the clear resolve of the United Nations and the world that Iraq immediately disarm. In the face of Iraq's continued defiance of the international community, the United States and our allies have been forced to act. It had been my ardent hope that, through forceful diplomacy and clear resolve, we would have avoided this war. However, in the face of Saddam Hussein's history of deception, the U.S. and its broad range of international partners have decided now is the time to act to disarm Iraq. In the coming days and weeks, it will be critically important for our Nation to support and pray for the safety of our troops in this time of uncertainty.

Following the terrorist attacks of September 11th, I participated in countless classified briefings and hearings before the House Intelligence Committee. We know that Iraq has continued to build weapons of mass destruction, has energized its missile program, and is investing in biological weapons. Saddam Hussein is determined to obtain weapons-grade material to develop nuclear weapons. His biological weapons program is more advanced than before the Gulf War. All of these actions have been done in flagrant violation of U.N. Security Council resolutions. The Iraqi people have not brought this situation upon themselves, but rather the blame is on the brutal dictatorship of Saddam Hussein.

Apart from the current military action, our focus must be on working with the world community to rebuild Iraq following the military actions. As we move forward in Iraq and in other crisis spots around the world, I am hopeful that the United States will continue to strengthen its unity with the international community.

Today, we stand firmly behind our Armed Forces. We thank the brave men and women who risk their lives to keep our Nation free and safe. We offer our respect, our supreme gratitude, and the promise that we shall not forget your bravery and your sacrifice. We are proud of you. May God bless you and keep you safe.

EXPRESSING SUPPORT AND APPRECIATION FOR THE PRESIDENT AND MEMBERS OF THE ARMED FORCES PARTICIPATING IN OPERATION IRAQI FREEDOM

**HON. JERRY F. COSTELLO**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 24, 2003*

Mr. COSTELLO. Mr. Speaker, I rise today in support of H. Con. Res. 104, a resolution expressing the support and appreciation of the Nation for the President and the members of the Armed Forces who are participating in Operation Iraqi Freedom. Many people have questioned the need for the United States to remove Saddam Hussein or the method in which this matter has been handled by the Bush administration. However, the time has come to end the debate and turn our complete and unified attention to supporting our troops.

I know there is no more important decision than whether or not to send our sons and daughters into armed conflict. Our President has made the decision to commit troops and with pride and resolve, the Congress stands solidly behind our troops. We will do whatever we can to make certain that they have everything needed for a quick resolution and their safe return home.

Mr. Speaker, the thoughts and prayers of all Americans are with the nearly 300,000 brave men and women who are currently putting their own lives in danger to carry out the orders of the Commander in Chief. Every one of us is proud of their service and their courage. We pray for their safety tonight and in days to come, and offer comfort and support to their families and loved ones.

HONORING LEADERS OF PLANNED PARENTHOOD EASTERN REGION

**HON. JERROLD NADLER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 24, 2003*

Mr. NADLER. Mr. Speaker, I rise today to pay tribute to Susan Herrmann, Kealy Salomon, Perry Colwell, Caroline Hoen, Carol Massey, Freddie Hodges, Kay Scott, Jamie Ann Sabino and Nancy Williams, who have all served ably as leaders of Planned Parenthood Eastern Region.

As members of the Eastern Region Executive Committee, they have volunteered innumerable hours, their energy and passion toward engaging the volunteers and affiliate staff of the Eastern Region with Planned Parenthood's mission. Planned Parenthood's regional councils represent a critical component of Planned Parenthood's political grassroots in the battle to protect and expand Planned Parenthood's mission.

With Planned Parenthood facing its most difficult hour, withstanding constant attacks from the Radical Right, the Eastern Region Council will play a critical role in support and inspiring the staff and volunteers of the Region.

Mr. Speaker, on behalf of the Planned Parenthood Federation, I extend my deep appreciation and admiration to Judy Tabb, Susan

Herrmann, Kealy Salomon, Perry Colwell, Caroline Hoen, Carol Massey, Freddie Hodges, Kay Scott, Jamie Ann Sabino and Nancy Williams for their leadership in protecting the reproductive rights of all.

SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT'S 30TH ANNIVERSARY

**HON. ROBERT T. MATSUI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 24, 2003*

Mr. MATSUI. Mr. Speaker, I rise today to honor the Sacramento Regional County Sanitation District's noteworthy 30th Anniversary. Its regional approach to wastewater management has ensured a higher quality of life for Sacramento residents and our neighbors downstream. I ask all of my colleagues to join with me in saluting this important milestone in protecting the environment and serving the public.

Three decades ago, Sacramento-area leaders, realizing the tremendous potential for the area's growth, joined forces to form the Sacramento Regional County Sanitation District (SRCSD). Back then, this represented a unique approach to the conveyance, treatment and discharge of wastewater in the Sacramento region. Until that time (and until the Sacramento Regional Wastewater Treatment Plant was completed in 1983), wastewater treatment and disposal were handled by up to 22 individual treatment plants, many located along the Sacramento and American rivers. These small treatment plants, some built in the 1950's and '60s, had become enveloped by neighborhoods and urban population centers. As the region's population grew, Sacramento County clearly needed a more comprehensive approach to wastewater management.

Sound planning, vision, and the Clean Water Act of 1972 helped the District stay ahead of the rapid changes fueled by Sacramento's expanding population. This massive growth was factored into plans for a regional wastewater treatment plant, which serves the needs of most of the region's residential, business and industrial customers. Construction of the treatment plant and SRCSD's extensive interceptor system were made possible by federal Clean Water Act funds, as well as state and local funding to finance construction.

Thirty years later, SRCSD represents a truly successful regionalized sanitation effort that serves an entire urbanized area with efficient and high quality wastewater treatment services. As a result, the entire region benefits from cleaner waterways, sending all its wastewater to one point of discharge, away from important drinking water intake locations. Mr. Speaker, as Sacramento Regional County Sanitation District celebrates its 30th Anniversary, I ask my colleagues to join me in paying tribute to its significant accomplishments and dedication to excellent public service.

## PERSONAL EXPLANATION

**HON. KAREN MCCARTHY**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 24, 2003*

Ms. MCCARTHY of Missouri. Mr. Speaker, during rollcall vote No. 83, I was unavoidably detained. Had I been present, I would have voted "yea."

RECOGNITION OF JOHNSON COUNTY VOLUNTEER CENTER'S 2003 "MOVERS AND SHAKERS"

**HON. DENNIS MOORE**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 24, 2003*

Mr. MOORE. Mr. Speaker, the Volunteer Center of Johnson County is hosting the third annual Movers and Shakers Recognition on April 22nd, to honor 84 young people from Johnson County, Kansas, who have performed meaningful community service. Students in middle schools and high schools have been nominated by school personnel and non-profit agencies based on their commitment and dedication to community service. Volunteering has been recognized as a key component in a child's education and I am proud that Johnson County students are active and willing to serve their communities.

I have included a list of the students' names and schools below.

Devon Anderson, Oregon Trail Junior High.  
Kendra Baker, Blue Valley North High School.  
Andrew Baldwin, Blue Valley High School.  
Emma Bergin, Mission Valley Middle School.  
Anthony Bertolone, Leawood Middle School.  
Annie Biddison, Shawnee Mission East High School.  
Elizabeth Boresow, Leawood Middle School.  
Brittany Bradfute, Lakewood Middle School.  
Krysten Brown, Chisholm Trail Junior High.  
Stephanie Brown, Shawnee Mission East High School.  
Laura Bryon, Bishop Miege High School.  
Jessica Butler, Olathe North High School.  
Lindsey Carlton, Leawood Middle School.  
Lauren Cassat, Blue Valley North High School.  
Cassidy Cheray, Blue Valley West High School.  
Katie Chinery, Blue Valley High School.  
Micaya Clymer, Shawnee Mission East High School.  
Bob Davis, Olathe North High School.  
Matasha Del Rosario, Shawnee Mission East High School.  
Emily Devlin, Oregon Trail Junior High.  
Caroline Dunning, Blue Valley North High School.  
Alissa Eddington, Shawnee Mission South High School.  
Sara Epperson, Blue Valley North High School.  
Miranda Flener, Shawnee Mission North-west High School.  
Theresa Fox, Blue Valley High School.  
Michelle Geary, Blue Valley High School.  
Jonathan Geller, Leawood Middle School.  
Samantha Gordon, Blue Valley North High School.  
Ashley Haddad, Shawnee Mission South High School.  
Jessie Harris, Chisholm Trail Junior High.  
Paul Hechler, Leawood Middle School.  
Sam Hewitt, Shawnee Mission West High School.  
J amie Hisle, Blue Valley High School.  
Rebecca Hoffman, Oregon Trail Junior High.  
Ryan Hudnall, Olathe East High School.  
Craig Jones, Blue Valley North High School.  
Megan Kaufman, Shawnee Mission South High School.  
Sarah Kidder, Bishop Miege High School.  
Hunter Kiely, Lakewood Middle School.  
Anne Kim, Shawnee Mission South High School.

Julianne Kueffer, Shawnee Mission East High School.

Bridget LaFollette, Oregon Trail Junior High.

Stephanie Mattingly, Olathe East High School.

Magdalena May, Oregon Trail Junior High.  
Laura McGee, Shawnee Mission South High School.

Teresa Meagher, Bishop Miege High School.

Katie Mehan, Oregon Trail Junior High.

Meagan Melloy, Homeschool.

Melissa Melloy, Homeschool.

Jessica Melton, Bishop Miege High School.

Tracy Milburn, Shawnee Mission South High School.

Jeff Miller, Shawnee Mission East High School.

Kellie Mitchell, Olathe North High School.

Kate Moreng, Blue Valley North High School.

Robert Murphy, Bishop Miege High School.

Katie Murray, Blue Valley North High School.

Whitney Novak, Mill Valley High School.

Aishling O'Connor, Indian Hills Middle School.

Aaron Olsen, Blue Valley North High School.

Samantha Owens, Bishop Miege High School.

James Park, Blue Valley West High School.

Emily Perry, Shawnee Mission East High School.

Kalin Pfanmiller, Shawnee Mission East High School.

Caitlin Powell, Oregon Trail Junior High.

Danny Rafiner, Blue Valley Northwest High School.

Jason Roberts, Shawnee Mission North-west High School.

Trisha Roberts, Lexington Trails Middle School.

Morgan Showalter, Oregon Trail Junior High.

Vivek Soni, Oregon Trail Junior High.

Danay Stanislaus, Olathe East High School.

Alli Stewart, Blue Valley North High School.

Erika Swenson, Shawnee Mission South High School.

Whitney Szczucinski, Shawnee Mission East High School.

David Trenary, Oregon Trail Junior High.

Ashlee Turnbull, Shawnee Mission North High School.

Devin West, Bishop Miege High School.

J. Peter Wetzel, Shawnee Mission East High School.

Margret White, Homeschool.

Kelly Wilbur, Mill Valley High School.

Laura Wilkerson, Shawnee Mission East High School.

Julie Wu, Shawnee Mission East High School.

Carrie Yeast, Shawnee Mission East High School.

Stephanie Zeckser, Blue Valley High School.

Mary Zima, Notre Dame de Sion High School.

**SENATE COMMITTEE MEETINGS**

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, March 25, 2003 may be found in the Daily Digest of today's RECORD.

**MEETINGS SCHEDULED**

**MARCH 26**

9:30 a.m.

**Environment and Public Works**

To hold hearings to examine the nominations of Ricky Dale James, of Missouri, and Rear Adm. Nicholas Augustus Prah, National Oceanic and Atmospheric Administration, both to be a Member of the Mississippi River Commission, and Richard W. Moore, of Alabama, to be Inspector General, Tennessee Valley Authority.

SD-406

**Foreign Relations**

To hold oversight hearings to examine foreign assistance.

S-116, Capitol

10 a.m.

**Appropriations**

**Defense Subcommittee**

To hold hearings to examine proposed budget estimates for fiscal year 2004 for the Air Force.

SD-192

**Indian Affairs**

To hold oversight hearings to examine the Indian Gaming Regulatory Act, focusing on the role and funding of the National Indian Gaming Commission.

SH-216

**Energy and Natural Resources**

**Public Lands and Forests Subcommittee**

To hold hearings to examine issues uncovered as a result of the Blue Ribbon Panel's report of findings on Aerial Fire Fighting Safety and responses to the report.

SD-366

**Armed Services**

**SeaPower Subcommittee**

To hold hearings to examine proposed legislation authorizing funds for fiscal year 2004 for the Department of Defense and the Future Years Defense Program, focusing on Navy ship-building programs.

SR-222

**Appropriations**

**Transportation, Treasury and General Government Subcommittee**

To hold hearings to examine proposed budget estimates for fiscal year 2004 for the Department of the Treasury.

SD-138

2 p.m.

**Judiciary**

To hold hearings to examine the nominations of Edward C. Prado, of Texas, to be United States Circuit Judge for the Fifth Circuit, Cecilia M. Altonaga, to be United States District Judge for the Southern District of Florida, Richard D. Bennett, to be United States District Judge for the District of Maryland, Dee D. Drell, to be United States District Judge for the Western District of Louisiana, J. Leon Holmes, to be United States District Judge for the Eastern District of Arkansas, and Susan G. Braden, of the District of Columbia, and Charles F. Lettow, of Virginia, each to be a Judge of the United States Court of Federal Claims.

SD-226

2:30 p.m.  
 Foreign Relations  
 International Economic Policy, Export and Trade Promotion Subcommittee  
 To hold hearings to examine global energy security issues.  
 SD-106

Armed Services  
 Strategic Forces Subcommittee  
 To hold hearings to examine proposed legislation authorizing funds for fiscal year 2004 for the Department of Defense, focusing on the Department of Energy Office of Environmental Management and Office of Legacy Management.  
 SR-222

MARCH 27

9:30 a.m.  
 Commerce, Science, and Transportation  
 To hold hearings to examine the implications of cloning on women's health.  
 SR-253

Energy and Natural Resources  
 To hold hearings to examine certain proposals with respect to electricity, including S. 475, to reform the nation's outdated laws relating to the electric industry, improve the operation of our transmission system, enhance reliability of our electric grid, increase consumer benefits from whole electric competition, and restore investor confidence in the electric industry.  
 SD-106

Appropriations  
 Labor, Health and Human Services, and Education Subcommittee  
 To hold hearings to examine proposed budget estimates for fiscal year 2004 for the Department of Education.  
 SD-192

10 a.m.  
 Armed Services  
 To hold hearings to examine the future of the North Atlantic Treaty Organization; to be followed by closed hearings (in Room SH-219).  
 SH-216

Health, Education, Labor, and Pensions  
 To hold hearings to examine health care transmission of global AIDS in Africa.  
 SD-430

Appropriations  
 VA, HUD, and Independent Agencies Subcommittee  
 To hold hearings to examine proposed budget estimates for fiscal year 2004 for the National Aeronautics and Space Administration.  
 SD-124

1:30 p.m.  
 Appropriations  
 Legislative Branch Subcommittee  
 To hold hearings to examine proposed budget estimates for fiscal year 2004 for the General Accounting Office, Government Printing Office, and Congressional Budget Office.  
 SD-124

2 p.m.  
 Judiciary  
 Business meeting to consider pending calendar business.  
 SD-222

2:30 p.m.  
 Foreign Relations  
 To resume hearings to examine the qualifications for NATO enlargement.  
 SD-419

Armed Services  
 Personnel Subcommittee  
 To hold hearings to examine compensation for disabled military retirees in review of the Defense Authorization request for fiscal year 2004.  
 SR-222

Armed Services  
 Strategic Forces Subcommittee  
 To hold hearings to examine intelligence support to warfighters, in review of the Defense Authorization Request for fiscal year 2004.  
 SR-232A

APRIL 1

10 a.m.  
 Appropriations  
 Commerce, Justice, State, and the Judiciary Subcommittee  
 To hold hearings to examine proposed budget estimates for fiscal year 2004 for the Department of Justice.  
 SD-192

Energy and Natural Resources  
 Business meeting to consider comprehensive energy legislation.  
 SD-366

2:30 p.m.  
 Armed Services  
 SeaPower Subcommittee  
 To hold hearings to examine proposed legislation authorizing funds for fiscal year 2004 for the Department of Defense and the Future Years Defense Program, focusing on Navy and Marine Corps development and procurement priorities.  
 SR-232A

APRIL 2

10 a.m.  
 Appropriations  
 Defense Subcommittee  
 To hold hearings to examine an overview of the fiscal year 2004 Navy Budget.  
 SD-192

Energy and Natural Resources  
 Business meeting to consider comprehensive energy legislation.  
 SD-366

Indian Affairs  
 To hold hearings to examine S. 556, to amend the Indian Health Care Improvement Act to revise and extend that Act.  
 SR-485

APRIL 3

10 a.m.  
 Energy and Natural Resources  
 Business meeting to consider comprehensive energy legislation.  
 SD-366

2:30 p.m.  
 Armed Services  
 Airland Subcommittee  
 To hold hearings to examine Navy, Marine Corps, and Air Force aviation and air-launched weapons programs in review of the Defense Authorization request for fiscal year 2004 and the Future Years Defense Program.  
 SR-232A

APRIL 8

9:30 a.m.  
 Rules and Administration  
 To hold oversight hearings to examine the operations of the Sergeant at Arms, the Library of Congress and the Congressional Research Service.  
 SR-301

10 a.m.  
 Energy and Natural Resources  
 Business meeting to consider comprehensive energy legislation.  
 SD-366

Health, Education, Labor, and Pensions  
 To hold hearings to examine the Mammography Quality Standards Act.  
 SD-430

APRIL 9

10 a.m.  
 Energy and Natural Resources  
 Business meeting to consider comprehensive energy legislation.  
 SD-366

APRIL 10

10 a.m.  
 Energy and Natural Resources  
 Business meeting to consider comprehensive energy legislation.  
 SD-366

POSTPONEMENTS

MARCH 26

9:30 a.m.  
 Health, Education, Labor, and Pensions  
 Business meeting to consider proposed legislation entitled "Caring for Children Act of 2003", proposed legislation entitled "Genetics Information Non-discrimination Act of 2003", and other pending calendar business.  
 SD-430

10 a.m.  
 Agriculture, Nutrition, and Forestry  
 To hold hearings to examine the reauthorization of child nutrition programs.  
 SR-328A

Monday, March 24, 2003

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S4315–S4331*

**Measures Introduced:** Six bills and one resolution were introduced, as follows: S. 692–697, and S. Con. Res. 28. **Page S4325**

**Measures Passed:**

*Biographical Directory of the United States Congress:* Senate agreed to S. Con. Res. 28, authorizing the printing of the Biographical Directory of the United States Congress, 1774–2005. **Pages S4329–30**

**Nominations Received:** Senate received the following nominations:

John E. Buchanan, Jr., of Oregon, to be a Member of the National Museum Services Board for a term expiring December 6, 2006.

Dee Ann McWilliams, of Texas, to be an Assistant Secretary of Veterans Affairs.

Roger Francisco Noriega, of Kansas, to be an Assistant Secretary of State (Western Hemisphere Affairs).

Annette Sandberg, of Washington, to be Administrator of the Federal Motor Carrier Safety Administration.

Routine lists in the Air Force, Army, Marine Corps. **Pages S4330–31**

**Petitions and Memorials:** **Pages S4324–25**

**Additional Cosponsors:** **Pages S4325–26**

**Statements on Introduced Bills/Resolutions:** **Pages S4326–30**

**Additional Statements:** **Page S4324**

**Notices of Hearings/Meetings:** **Page S4330**

**Adjournment:** Senate met at 2 p.m., and adjourned at 5:48 p.m., until 9:30 a.m., on Tuesday, March 25, 2003. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4330.)

### Committee Meetings

No committee meetings were held.

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## House of Representatives

### Chamber Action

**Measures Introduced:** 1 resolution, H. Con. Res. 110, was introduced. **Page H2277**

**Additional Cosponsors:** **Page H2277**

**Reports Filed:** Reports were filed today as follows:

H.R. 743, to amend the Social Security Act and the Internal Revenue Code of 1986 to provide additional safeguards for Social Security and Supplemental Security Income beneficiaries with representative payees, to enhance program protections, and for other purposes, amended (H. Rept. 108–46); and

H.R. 1104, to prevent child abduction, amended (H. Rept. 108–47, Pt. 1).

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he appointed Representative Issa to act as Speaker Pro Tempore for today. **Page H2273**

**Presidential Message—National Emergency re Terrorists:** Message from the President wherein he transmitted the 6-month periodic report on the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001—referred to the Committee on International Relations and ordered printed (H.Doc. 108–52). **Page H2273**

**Senate Message:** Message received from the Senate today appears on page H2273.

**Referral:** S. 205 was referred to the Committee on the Judiciary.

Page H2274

**Quorum Calls—Votes:** No quorum calls or recorded votes developed during the proceedings of the House today.

**Adjournment:** The House met at 2 p.m. and adjourned at 2:06 p.m.

## Committee Meetings

No Committee meetings were held.

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### COMMITTEE MEETINGS FOR TUESDAY, MARCH 25, 2003

(Committee meetings are open unless otherwise indicated)

#### Senate

*Committee on Armed Services:* business meeting to consider allegations on sexual assault at the United States Air Force Academy, 10 a.m., S-407, Capitol.

*Committee on Banking, Housing, and Urban Affairs:* to hold hearings to examine the nominations: of Alfred Plamann, of California, to be a Member of the Board of Directors of the National Consumer Cooperative Bank, and Thomas Waters Grant, of New York, Noe Hinojosa, Jr., of Texas, and William Robert Timken, Jr., of Ohio, each to be a Director of the Securities Investor Protection Corporation, 9:15 a.m., SD-538.

*Committee on Energy and Natural Resources:* Subcommittee on National Parks, to hold oversight hearings to examine National Trail designations and the potential impact of National Trails on private lands, communities, and activities within the viewshed of the trails, and S. 324, to amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for certain trails in the National Trails System, S. 634, to amend the National Trails System Act to direct the Secretary of the Interior to carry out a study on the feasibility of designating the Trail of the Ancients as a national historic trail, and S. 635, to amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, 2:30 p.m., SD-366.

#### House

*Committee on Appropriations,* Subcommittee on Labor, Health and Human Services, Education and Related Agencies, on Administration for Children and Families, 10:15 a.m., and on Administration on Aging, 11:15 a.m., 2358 Rayburn.

*Committee on Armed Services,* Subcommittee on Readiness, hearing on outsourcing and the OMB Circular A-76 process, 4 p.m., 2118 Rayburn.

*Committee on the Budget,* hearing on the Congressional Budget Office: Analysis of the President's Budget Fiscal Year 2004, 1 p.m., 210 Cannon.

*Committee on Energy and Commerce,* Subcommittee on Telecommunications and the Internet, hearing on H.R. 1320, Commercial Spectrum Enhancement Act, 2 p.m., 2123 Rayburn.

*Committee on Financial Services,* Subcommittee on Housing and Community Opportunity, hearing entitled "Strengthening America's Communities: Examining the Impact of Faith-Based Housing Partnerships," 3 p.m. 2128 Rayburn.

*Committee on Government Reform,* Subcommittee on National Security, Emerging Threats and International Relations, hearing on Protecting the Health of Deployed Forces: Lessons Learned From the Persian Gulf War, 2 p.m., 2247 Rayburn.

Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census, hearing on "Data Mining: Current Applications and Future Possibilities," 9:30 a.m., 2154 Rayburn.

*Committee on the Judiciary,* Subcommittee on the Constitution, hearing and markup of H.R. 760, Partial-Birth Abortion Ban Act of 2003, 2 p.m., 2237 Rayburn.

*Committee on Resources,* Subcommittee on National Parks, Recreation and Public Lands, oversight hearing on the Status of the National Park Service Concessions Management Program and Implementing Regulations, 2 p.m., 1334 Longworth.

*Committee on Rules,* to consider H.R. 1104, Child Abduction Prevention Act of 2003, 5 p.m., H-313 Capitol.

*Committee on Science,* to mark up H.R. 238, Energy Research, Development, Demonstration, and Commercial Application Act of 2003, 4 p.m., 2318 Rayburn.

*Next Meeting of the SENATE*

9:30 a.m., Tuesday, March 25

*Next Meeting of the HOUSE OF REPRESENTATIVES*

12:30 p.m., Tuesday, March 25

## Senate Chamber

**Program for Tuesday:** Senate will resume consideration of S. Con. Res. 23, Budget Resolution, and begin a series of votes on certain amendments.

## House Chamber

**Program for Tuesday:** Consideration of Suspensions:

- (1) H. Con. Res. 84, acceptance of a statue of President Dwight D. Eisenhower, presented by the people of Kansas, for placement in the Capitol;
- (2) H. Res. 134, electing Members to the Joint Committee on Printing and the Joint Committee on the Library;
- (3) H.R. 620, supplemental funding to assist California provide educational services for students attending schools located within Yosemite National Park;
- (4) H.R. 788, Glen Canyon National Recreation Area Boundary Adjustment; and
- (5) H.R. 961, Upper Mississippi River Basin Protection Act.

## Extensions of Remarks, as inserted in this issue

## HOUSE

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