

By Mr. HATCH for the Committee on the Judiciary.

Priscilla Richman Owen, of Texas, to be United States Circuit Judge for the Fifth Circuit.

Mary Ellen Coster Williams, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Victor J. Wolski, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

McGregor William Scott, of California, to be United States Attorney for the Eastern District of California for the term of four years.

Michael E. Horowitz, of Maryland, to be a Member of the United States Sentencing Commission.

Ricardo H. Hinojosa, of Texas, to be a Member of the United States Sentencing Commission.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### 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. ENZI (for himself, Mr. BENNETT, Mr. INHOFE, Mr. COLEMAN, Mr. CRAPO, Mr. BURNS, Mr. ALLARD, and Mr. SANTORUM):

S. 724. A bill to amend title 18, United States Code, to exempt certain rocket propellants from prohibitions under that title on explosive materials; to the Committee on the Judiciary.

By Mr. BINGAMAN (for himself, Mrs. FEINSTEIN, Mr. DAYTON, and Mr. LEAHY):

S. 725. A bill to amend the Transportation Equity Act for the 21st Century to provide from the Highway Trust Fund additional funding for Indian reservation roads, and for other purposes; to the Committee on Indian Affairs.

By Ms. STABENOW:

S. 726. A bill to treat the Tuesday next after the first Monday in November as a legal public holiday for purposes of Federal employment, and for other purposes; to the Committee on the Judiciary.

By Mr. BYRD (for himself, Mr. ROCKEFELLER, Mr. THOMAS, Mr. BURNS, Mr. DORGAN, Mr. ALLARD, Mr. DURBIN, Mr. VOINOVICH, Mr. BAYH, Mr. ENZI, Mr. CAMPBELL, and Mr. CONRAD):

S. 727. A bill to reauthorize a Department of Energy program to develop and implement accelerated research, development, and demonstration projects for advanced clean coal technologies for use in coal-based electricity generating facilities, to amend the Internal Revenue Code of 1986 to provide incentives for the use of those technologies, and for other purposes; to the Committee on Finance.

By Mr. COLEMAN (for himself, Mr. STEVENS, and Mr. DAYTON):

S. 728. A bill to reimburse the airline industry for homeland security costs, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COLEMAN (for himself and Mr. CHAMBLISS):

S. 729. A bill to amend the Internal Revenue Code of 1986 to establish a pilot program to encourage the use of medical savings accounts by public employees of the State of Minnesota and political jurisdictions thereof; to the Committee on Finance.

By Mr. WARNER:

S. 730. A bill to amend title 38, United States Code, to permit the transfer to spouses and children of a portion of the entitlement of certain members of the Armed Forces to educational assistance under the Montgomery GI Bill, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BIDEN (for himself and Mr. HATCH):

S. 731. A bill to prohibit fraud and related activity in connection with authentication features, and for other purposes; to the Committee on the Judiciary.

By Mr. BAUCUS (for himself, Mr. HATCH, Mr. ROCKEFELLER, and Mr. JEFFORDS):

S. 732. A bill to amend title XI of the Social Security Act to create an independent and nonpartisan commission to assess the health care needs of the uninsured and to monitor the financial stability of the Nation's health care safety net; to the Committee on Finance.

By Ms. SNOWE:

S. 733. A bill to authorize appropriations for fiscal year 2004 for the United States Coast Guard, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CORZINE (for himself, Mr. LIEBERMAN, and Mr. MCCAIN):

S. 734. A bill to provide adequate funding for the National Commission on Terrorist Attacks Upon the United States; to the Select Committee on Intelligence.

By Mr. BOND (for himself and Mr. JOHNSON):

S. 735. A bill to amend the Internal Revenue Code of 1986 to clarify the exemption from tax for small property and casualty insurance companies; to the Committee on Finance.

By Mr. ENSIGN (for himself, Mr. ALLARD, Ms. CANTWELL, Mr. DORGAN, Mr. HARKIN, Mr. LEVIN, Mr. LUGAR, Mr. HAGEL, Mr. LIEBERMAN, Mr. WYDEN, Mr. REID, and Mr. LEAHY):

S. 736. A bill to amend the Animal Welfare Act to strengthen enforcement of provisions relating to animal fighting, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DURBIN:

S. 737. A bill to amend title 37, United States Code, to increase the rate of imminent danger special pay and the amount of the family separation allowance; to the Committee on Armed Services.

By Mrs. BOXER:

S. 738. A bill to designate certain public lands in Humboldt, Del Norte, Mendocino, Lake, Napa, and Yolo Counties in the State of California as wilderness, to designate certain segments of the Black Butte River in Mendocino County, California as a wild or scenic river, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. AKAKA (for himself, Mr. DOMENICI, Mr. LIEBERMAN, Mr. KYL, Mr. REID, Mr. BAYH, Mr. INOUE, and Mr. BINGAMAN):

S. 739. A bill to reauthorize and amend the Spark M. Matsunaga Hydrogen Research, Development, and Demonstration Act of 1990, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. BUNNING, Mr. HOLLINGS, Mr. DAYTON, Ms. LANDRIEU, Ms. STABENOW, Mr. LAUTENBERG, and Mr. GRAHAM of South Carolina):

S. 740. A bill to amend title XVIII of the Social Security Act to improve patient access to, and utilization of, the colorectal cancer screening benefit under the medicare program; to the Committee on Finance.

By Mr. SESSIONS (for himself, Mr. BINGAMAN, Mr. GREGG, Mr. MILLER, Mr. ALLARD, Mrs. LINCOLN, Mr. ENSIGN, Ms. COLLINS, Mr. CRAPO, Mr. CRAIG, and Mr. HARKIN):

S. 741. A bill to amend the Federal Food, Drug, and Cosmetic Act with regard to new animal drugs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWNBACK (for himself, Mrs. CLINTON, Mr. LEAHY, Ms. MIKULSKI, Mr. SMITH, Mrs. FEINSTEIN, Mrs. MURRAY, and Mr. BINGAMAN):

S. 742. A bill to authorize assistance for individuals with disabilities in foreign countries, including victims of warfare and civil strife, and for other purposes; to the Committee on Foreign Relations.

#### 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 Mr. LIEBERMAN (for himself, Mr. STEVENS, Mr. INOUE, Mr. FRIST, Mr. DASCHLE, and Mr. WARNER)):

S. Con. Res. 31. A concurrent resolution expressing the outrage of Congress at the treatment of certain American prisoners of war by the Government of Iraq; to the Committee on Foreign Relations.

#### ADDITIONAL COSPONSORS

S. 140

At the request of Mrs. FEINSTEIN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 140, a bill to amend the Higher Education Act of 1965 to extend loan forgiveness for certain loans to Head Start teachers.

S. 215

At the request of Mrs. FEINSTEIN, the names of the Senator from Vermont (Mr. JEFFORDS) and the Senator from Delaware (Mr. BIDEN) were added as cosponsors of S. 215, a bill to authorize funding assistance for the States for the discharge of homeland security activities by the National Guard.

S. 271

At the request of Mr. SMITH, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 271, a bill to amend the Internal Revenue Code of 1986 to allow an additional advance refunding of bonds originally issued to finance governmental facilities used for essential governmental functions.

S. 287

At the request of Mr. LEAHY, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 287, a bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor.

S. 289

At the request of Mr. GRASSLEY, the names of the Senator from New York (Mrs. CLINTON) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 289, a bill to amend the Internal Revenue Code of 1986 to improve tax equity for military personnel, and for other purposes.

S. 349

At the request of Mrs. FEINSTEIN, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 349, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 380

At the request of Ms. COLLINS, the name of the Senator from Missouri (Mr. TALENT) was added as a cosponsor of S. 380, a bill to amend chapter 83 of title 5, United States Code, to reform the funding of benefits under the Civil Service Retirement System for employees of the United States Postal Service, and for other purposes.

S. 451

At the request of Ms. SNOWE, the names of the Senator from Florida (Mr. NELSON), the Senator from Maine (Ms. COLLINS), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Nebraska (Mr. HAGEL), the Senator from South Carolina (Mr. GRAHAM) and the Senator from Oregon (Mr. SMITH) were added as cosponsors of S. 451, a bill to amend title 10, United States Code, to increase the minimum Survivor Benefit Plan basic annuity for surviving spouses age 62 and older, to provide for a one-year open season under that plan, and for other purposes.

S. 481

At the request of Mr. ALLEN, the names of the Senator from Alaska (Mr. STEVENS) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 481, a bill to amend chapter 84 of title 5, United States Code, to provide that certain Federal annuity computations are adjusted by 1 percentage point relating to periods of receiving disability payments, and for other purposes.

S. 498

At the request of Mr. HOLLINGS, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from Colorado (Mr. ALLARD), the Senator from Virginia (Mr. ALLEN), the Senator from Montana (Mr. BAUCUS), the Senator from Indiana (Mr. BAYH), the Senator from Delaware (Mr. BIDEN), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Missouri (Mr. BOND), the Senator from California (Mrs. BOXER), the Senator from Louisiana (Mr. BREAUX), the Senator from Montana (Mr. BURNS), the Senator from West Virginia (Mr. BYRD), the Senator from Colorado (Mr. CAMPBELL), the Senator from Washington (Ms. CANTWELL), the Senator from Delaware (Mr. CARPER), the Senator from Georgia (Mr. CHAMBLISS), the Senator from New

York (Mrs. CLINTON), the Senator from Minnesota (Mr. COLEMAN), the Senator from North Dakota (Mr. CONRAD), the Senator from Texas (Mr. CORNYN), the Senator from New Jersey (Mr. CORZINE), the Senator from Idaho (Mr. CRAIG), the Senator from South Dakota (Mr. DASCHLE), the Senator from Minnesota (Mr. DAYTON), the Senator from Connecticut (Mr. DODD), the Senator from New Mexico (Mr. DOMENICI), the Senator from North Dakota (Mr. DORGAN), the Senator from Illinois (Mr. DURBIN), the Senator from Nevada (Mr. ENSIGN), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from California (Mrs. FEINSTEIN), the Senator from Illinois (Mr. FITZGERALD), the Senator from Florida (Mr. GRAHAM), the Senator from Iowa (Mr. GRASSLEY), the Senator from Nebraska (Mr. HAGEL), the Senator from Iowa (Mr. HARKIN), the Senator from Utah (Mr. HATCH), the Senator from Texas (Mrs. HUTCHISON), the Senator from Hawaii (Mr. INOUE), the Senator from Vermont (Mr. JEFFORDS), the Senator from South Dakota (Mr. JOHNSON), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Wisconsin (Mr. KOHL), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Vermont (Mr. LEAHY), the Senator from Michigan (Mr. LEVIN), the Senator from Arkansas (Mrs. LINCOLN), the Senator from Mississippi (Mr. LOTT), the Senator from Indiana (Mr. LUGAR), the Senator from Arizona (Mr. MCCAIN), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Maryland (Ms. MIKULSKI), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Washington (Mrs. MURRAY), the Senator from Florida (Mr. NELSON), the Senator from Nebraska (Mr. NELSON), the Senator from Oklahoma (Mr. NICKLES), the Senator from Arkansas (Mr. PRYOR), the Senator from Rhode Island (Mr. REED), the Senator from Nevada (Mr. REID), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Pennsylvania (Mr. SANTORUM), the Senator from New York (Mr. SCHUMER), the Senator from Alabama (Mr. SESSIONS), the Senator from Alabama (Mr. SHELBY), the Senator from Oregon (Mr. SMITH), the Senator from Maine (Ms. SNOWE), the Senator from Michigan (Ms. STABENOW), the Senator from New Hampshire (Mr. SUNUNU), the Senator from Ohio (Mr. VOINOVICH), the Senator from Virginia (Mr. WARNER) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 498, a bill to authorize the President to posthumously award a gold medal on behalf of Congress to Joseph A. De Laine in recognition of his contributions to the Nation.

S. 518

At the request of Ms. COLLINS, the name of the Senator from New Mexico (Mr. BINGAMAN) 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 col-

lect the data necessary to move islet cell transplantation from an experimental procedure to a standard therapy.

S. 527

At the request of Mr. MILLER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 527, a bill to establish the Southern Regional Commission for the purpose of breaching the cycle of persistent poverty among the southeastern States.

S. 560

At the request of Mr. CRAIG, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 560, a bill to impose tariff-rate quotas on certain casein and milk protein concentrates.

S. 591

At the request of Mr. MILLER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 591, a bill to provide for a period of quiet reflection at the opening of certain schools on every school day.

S. 606

At the request of Mr. GREGG, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 606, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 647

At the request of Mr. KENNEDY, the name of the Senator from Massachusetts (Mr. KERRY) 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. 678

At the request of Mr. AKAKA, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 678, a bill to amend chapter 10 of title 39, United States Code, to include postmasters and postmasters organizations in the process for the development and planning of certain policies, schedules, and programs, and for other purposes.

S. 704

At the request of Mr. ALLEN, his name was added as a cosponsor of S. 704, a bill to amend title 10, United States Code, to increase the amount of the death gratuity payable with respect to deceased members of the Armed Forces.

S. 709

At the request of Mrs. DOLE, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from Colorado (Mr. ALLARD), the Senator from Indiana (Mr. BAYH), the Senator from Utah (Mr. BENNETT), the Senator from Missouri (Mr. BOND), the Senator from Kansas (Mr. BROWNBACK), the Senator from Montana (Mr. BURNS), the Senator from Colorado (Mr. CAMPBELL),

the Senator from Washington (Ms. CANTWELL), the Senator from New York (Mrs. CLINTON), the Senator from Mississippi (Mr. COCHRAN), the Senator from Minnesota (Mr. COLEMAN), the Senator from Idaho (Mr. CRAIG), the Senator from Idaho (Mr. CRAPO), the Senator from South Dakota (Mr. DASCHLE), the Senator from Connecticut (Mr. DODD), the Senator from New Mexico (Mr. DOMENICI), the Senator from Nevada (Mr. ENSIGN), the Senator from Wyoming (Mr. ENZI), the Senator from California (Mrs. FEINSTEIN), the Senator from Illinois (Mr. FITZGERALD), the Senator from South Carolina (Mr. GRAHAM), the Senator from New Hampshire (Mr. GREGG), the Senator from Iowa (Mr. HARKIN), the Senator from Utah (Mr. HATCH), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Texas (Mrs. HUTCHISON), the Senator from Oklahoma (Mr. INHOFE), the Senator from Hawaii (Mr. INOUE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Arizona (Mr. KYL), the Senator from Louisiana (Ms. LANDRIEU), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Vermont (Mr. LEAHY), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Maryland (Ms. MIKULSKI), the Senator from Georgia (Mr. MILLER), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Florida (Mr. NELSON), the Senator from Arkansas (Mr. PRYOR), the Senator from Kansas (Mr. ROBERTS), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Pennsylvania (Mr. SANTORUM), the Senator from Alabama (Mr. SESSIONS), the Senator from Oregon (Mr. SMITH), the Senator from Maine (Ms. SNOWE), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Alaska (Mr. STEVENS), the Senator from New Hampshire (Mr. SUNUNU), the Senator from Missouri (Mr. TALENT), the Senator from Wyoming (Mr. THOMAS), the Senator from Ohio (Mr. VOINOVICH), the Senator from South Dakota (Mr. JOHNSON), the Senator from West Virginia (Mr. BYRD), the Senator from New Jersey (Mr. CORZINE) and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of S. 709, a bill to award a congressional gold medal to Prime Minister Tony Blair.

S. 711

At the request of Mr. WARNER, his name was added as a cosponsor of S. 711, a bill to amend title 37, United States Code, to alleviate delay in the payment of the Selected Reserve reenlistment bonus to members of Selected Reserve who are mobilized.

S. 712

At the request of Mr. WARNER, his name was added as a cosponsor of S. 712, a bill to amend title 10, United States Code, to provide Survivor Benefit Plan annuities for surviving spouses of Reserves not eligible for retirement who die from a cause incurred or aggravated while on inactive-duty training.

S. 721

At the request of Mr. ALLEN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 721, a bill to amend the Internal Revenue Code of 1986 to expand the combat zone income tax exclusion to include income for the period of transit to the combat zone and to remove the limitation on such exclusion for commissioned officers, and for other purposes.

S. CON. RES. 26

At the request of Ms. LANDRIEU, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor 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.

S. CON. RES. 30

At the request of Mr. LUGAR, the names of the Senator from Virginia (Mr. WARNER), the Senator from Virginia (Mr. ALLEN), the Senator from Arizona (Mr. MCCAIN) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. Con. Res. 30, a concurrent resolution expressing the sense of Congress to commend and express the gratitude of the United States to the nations participating with the United States in the Coalition to Disarm Iraq.

S. CON. RES. 30

At the request of Mr. CORZINE, his name was added as a cosponsor of S. Con. Res. 30, supra.

S. CON. RES. 30

At the request of Mr. VOINOVICH, his name was added as a cosponsor of S. Con. Res. 30, supra.

S. RES. 74

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. Res. 74, a resolution to amend rule XLII of the Standing Rules of the Senate to prohibit employment discrimination in the Senate based on sexual orientation.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BINGAMAN (for himself, Mrs. FEINSTEIN, Mr. DAYTON, and Mr. LEAHY):

S. 725. A bill to amend the Transportation Equity Act for the 21st Century to provide from the Highway Trust Fund additional funding for Indian reservation roads, and for other purposes; to the Committee on Indian Affairs.

Mr. BINGAMAN. Mr. President, I am very pleased today to introduce the Tribal Transportation Program Improvement Act of 2003. The bill is cosponsored by Senators FEINSTEIN, DAYTON, and LEAHY.

The goal of this legislation is to help provide safe and efficient transportation throughout Indian country. At the same time, this bill will help promote economic development, self-determination, and employment of Indians and Alaska Natives.

Roads that serve Indian Country are part of one single national transportation network and Congress has long recognized the importance of improving transportation in Indian Country. I believe the Federal Government has an obligation to provide safe and efficient transportation for all tribes. Indians pay the same Federal gasoline, tire, and other taxes, as all other Americans and are entitled to the same quality of transportation.

This bill is a 6-year reauthorization and improvement of the Indian Reservation Roads program, which funds transportation programs for all tribes. This year, Congress must reauthorize the IRR program, along with all other transportation programs in TEA-21. I am introducing the bill today as the first step in the reauthorization process.

The Indian Reservation Roads Program was established in 1928, and in 1946 the BIA and the FHWA executed the first memorandum of agreement for joint administration of the program. Since 1982, funding for tribal transportation programs has been provided from the federal Highway Trust Fund. Major changes to the program were again made in 1998 as part of TEA-21.

Today, the Indian Reservation Roads program serves more than 560 federally recognized Indian tribes and Alaskan native villages in 33 States. The IRR system comprises 25,700 miles of BIA and tribally owned roads and another 25,600 miles of State, county, and local government public roads. There are also 4,115 bridges on the IRR system, and one ferryboat operation, the Inchelium-Gifford Ferry in Washington State.

Of the 25,700 miles of BIA and tribal roads on the IRR system, only about one quarter are paved. Of the 25,600 miles of State, county, or local government IRR roads, about 40 percent are paved. In total, over two-thirds of all IRR roads remain unpaved. Many of these unpaved roads are not passable in bad weather. In addition, about 140 of the 753 bridges owned by the BIA are currently rated as deficient.

Some of the roads on tribal lands resemble roads in third-world countries. Some are little more than wheel tracks. Even though the IRR system has perhaps the most rudimentary infrastructure of any transportation network in the country, over 2 billion vehicle miles are annually traveled on the system.

According to the Federal Highway Administration's most recent assessment of the nation's highways, bridges, and transit, only 34 percent of paved IRR roads are rated in good condition, 37 percent are rated only fair, and 29 percent are rated poor. Of course, these ratings apply only to the paved roads on the IRR system, not the 33,000 miles of dirt and gravel roads.

The poor road quality also has a serious impact on highway safety. According to FHWA, the highway fatality