

(Regulations Z)" received on March 31, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-1885. A communication from the Comptroller General of the United States, General Accounting Office, transmitting, pursuant to law, the report relative to the financial statements of the Bank Insurance Fund (BIF), the Savings Association Insurance Fund (SAIF), and the FSLIC Resolution Fund (FRF); to the Committee on Banking, Housing, and Urban Affairs.

EC-1886. A communication from the Assistant General Counsel, Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "HOME Investment Partnerships Program; CORRECTION (RIN 2501-AC30) (FR-4111-C-04)" received on April 1, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-1887. A communication from the Chief Judge, Superior Court of the District of Columbia, transmitting, pursuant to law, the report relative to the implementation of the District of Columbia Family Court Act of 2001 submitted April 4, 2003; to the Committee on Governmental Affairs.

EC-1888. A communication from the Secretary of Transportation, transmitting, pursuant to law, the report of the Department of Transportation Management Decisions and Final Actions on the Office of Inspector General Audit Recommendations for the period ending September 30, 2002; to the Committee on Governmental Affairs.

EC-1889. A communication from the Senior Vice-President and Chief Financial Officer, transmitting, pursuant to law, the report relative to the Export-Import Bank audit that was performed by Deloitte and Touche LLP, received on April 3, 2003; to the Committee on Governmental Affairs.

EC-1890. A communication from the Chief Judge, Superior Court of the District of Columbia, transmitting, pursuant to law, the report relative to the implementation of the District of Columbia Family Court Act of 2001 submitted March 31, 2003; to the Committee on Governmental Affairs.

EC-1891. A communication from the Chairman of the Council, Council of the District of Columbia, transmitting, pursuant to law, the report on D.C. Act 15-33 "Emancipation Day Fund Temporary Act of 2003" received on March 31, 2003; to the Committee on Governmental Affairs.

EC-1892. A communication from the Chairman of the Council, Council of the District of Columbia, transmitting, pursuant to law, the report on D.C. Act 15-32 "Kings Court Community Garden Equitable Real Property Tax Relief Temporary Act of 2003" received on March 31, 2003; to the Committee on Governmental Affairs.

EC-1893. A communication from the Chairman of the Council, Council of the District of Columbia, transmitting, pursuant to law, the report on D.C. Act 15-31 "Housing Notice Temporary Amendment Act of 2003" received on March 31, 2003; to the Committee on Governmental Affairs.

EC-1894. A communication from the Chairman of the Council, Council of the District of Columbia, transmitting, pursuant to law, the report on D.C. Act 15-30 "Marvin Caplan Memorial Designation Act 2003" received on March 31, 2003; to the Committee on Governmental Affairs.

EC-1895. A communication from the Chairman of the Council, Council of the District of Columbia, transmitting, pursuant to law, the report on D.C. Act 15-29 "Closing of a Public alley in Square 341 S.O. 02-4058, Act of 2003" received on March 31, 2003; to the Committee on Governmental Affairs.

EC-1896. A communication from the Chairman of the Council, Council of the District of

Columbia, transmitting, pursuant to law, the report on D.C. Act 15-28 "William H. Rumsey, Sr. Aquatic Center Designation Act of 2003" received on March 31, 2003; to the Committee on Governmental Affairs.

EC-1897. A communication from the Chairman, Securities and Exchange Commission, transmitting, pursuant to law, the Annual report summarizing the Securities and Exchange Commission's activities, received on April 3, 2003; to the Committee on Governmental Affairs.

EC-1898. A communication from the Chairman, National Labor Relations Board, transmitting, pursuant to law, the report of a Document consisting of the Performance Plan for fiscal year (FY) 2004 and the Program Performance Report for FY 2002; to the Committee on Governmental Affairs.

EC-1899. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the report of the Financial Report of the United States Government for Fiscal Year 2002, received on March 31, 2003; to the Committee on Governmental Affairs.

EC-1900. A communication from the Vice Counsel and Corporate Secretary, Legal Services Corporation, transmitting, pursuant to law, the Sunshine Act report for the Legal Services Corporation for 2002, received on April 1, 2003; to the Committee on Governmental Affairs.

EC-1902. A communication from the Assistant Secretary, Administration and Management, Department of Labor, transmitting, pursuant to law, the report of the Department of Labor's (DOL) Commercial Activities Inventory for Fiscal Year 2002, received on April 1, 2003; to the Committee on Governmental Affairs.

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-77. A joint resolution adopted by the Legislature of the State of Wyoming relative to tax treatment of Health insurance; to the Committee on Finance.

JOINT RESOLUTION NO. 1

Whereas, the high cost of health insurance has created a large number of uninsured citizens in the United States and the State of Wyoming;

Whereas, those without health insurance are less likely to receive adequate health care;

Whereas, insurance purchasing decisions are to a large extent made by employees and not insurance beneficiaries;

Whereas, overreliance on employer-provided health insurance impedes worker mobility;

Whereas, spiraling health care costs are in part caused by a lack of active consumer participation in health care markets;

Whereas, employers can deduct the full cost of employee health insurance as a business expense, while individuals may not: Now, therefore, be it

Resolved by the members of the Legislature of the State of Wyoming:

Section 1. That the Wyoming State Legislature petitions the Congress of the United States to equalize the tax treatment of employer-provided and individually purchase health insurance by creating a tax credit for the full amount of insurance purchased by individuals.

Section 2. That the Secretary of State of Wyoming transmit copies of the resolution to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United

States Congress and to the Wyoming Congressional Delegation.

POM-78. A joint resolution adopted by the Legislature of the State of Wyoming relative to the declaration of an emergency in watersheds located in the national forests within Wyoming; to the Committee on Environment and Public Works.

Whereas, the Wyoming State Legislature finds that:

(a) A state of emergency exists in Wyoming due to a shortage, and ever diminishing aggregate total supply, of water available to its citizens, communities, livestock, wildlife and their habitats.

(b) Virtually all Wyoming communities have been seriously threatened and impacted by a shortage of available water within the last calendar year.

(c) Virtually all Wyoming waterways are either presently experiencing, or within the last calendar year have experienced, a significant depletion of available water as well as the streams and tributaries that contribute water to the waterways.

(d) Most Wyoming livestock, wildlife and threatened or endangered species are now or are likely to be seriously imperiled by a shortage of available water either directly or indirectly via the impact of the water shortage on their supply of forage or prey base.

(e) Due to the existence of this declared state of emergency it is imperative that Wyoming promptly take necessary actions to restore and increase the aggregate total supply of water available within the state.

(f) This state's aggregate total supply of water is significantly dependent upon watersheds located on federal lands. To achieve an increase in the aggregate total supply of water in Wyoming it is imperative for the state to take appropriate actions that may be available to remedy the presently existent deteriorated conditions of these watersheds.

(g) The existence of excessive overgrowth on Wyoming's federal forests has been publicly acknowledged and declared both by state officials and in 2002 by the President of the United States, members of his cabinet, other administration officials and numerous members of the United States Congress.

(h) Numerous state and local Wyoming elected officials and other citizens have repeatedly petitioned the United States Forest Service over the last several years to take actions needed to remove or eliminate the excessive forest overgrowth conditions that exist on watersheds on the federal lands within the state of Wyoming. All the petitions have been effectively ignored by the Secretary of Agriculture and other officers within the federal government under her authority, reflecting what can only be characterized as their utter disregard for both the needs of Wyoming citizens and wildlife, and Wyoming's lawful rights to the waterflows.

(j) The United States Congress, in pertinent part, expressly provided that "No national forest shall be established, except to improve and protect the forest within the boundaries, or for the purpose of securing favorable conditions of waterflows . . ." 16 U.S.C. §475. Congress reaffirmed this directive when it passed the Multiple-Use Sustained-Yield Act of 1960 by specifically stating that the national forests "shall be administered" for "watershed" purposes, 16 U.S.C. §528 et seq.

(k) The United States Supreme Court in *United States v. New Mexico*, 438 U.S. 696 (1978) stated "Congress has evidenced its continuing concern with enhancing the water supply for nonforest use by specifically authorizing the President to set aside and protect national forest lands needed as sources of municipal water supplies. 16 U.S.C. §552a."

Moreover, the Supreme Court further stated that the "States have exclusive control of the distribution of water on public lands and reservations."

(m) The following facts are indisputable:

(i) Wyoming's watersheds located on federal lands presently contain millions of excess and unnecessary junipers and conifers;

(ii) Each of these excess trees individually consumes from ten (10) to two hundred (200) gallons of water each and every day of the year, depending on its size;

(iii) Thus, in the aggregate, the millions of excess trees on Wyoming's watersheds unnecessarily consume hundreds of acre feet of water each and every day of the year;

(iv) The continued existence of the overgrowth serves no legitimate federal or state purpose. In fact, these conditions have been previously declared to constitute a state of emergency because the catastrophic fire potential they create poses a present unreasonable risk to the lives and property of Wyoming citizens;

(v) The federal government's persistent failure to remove the excess tree overgrowth from Wyoming's watersheds prevents downstream flow to Wyoming in violation of the state's legal entitlement to the diverted waters under both state and federal law.

(n) Based on the foregoing findings of fact, the following conclusions are indisputable:

(i) Wyoming has a legal entitlement to the waterflows that either are or may be derived from federal lands within the state;

(ii) The excessive overgrowth on the watersheds is depriving the state of Wyoming of its legal entitlement to the waters in direct violation of the mandates of the United States Congress and the rulings of the United States Supreme Court;

(iii) Therefore, to abate this illicit diversion of Wyoming's water, to increase the aggregate total supply of water available in and to Wyoming in the future, and to thereby remedy the state of emergency declared by this act, Wyoming hereby now affirms and asserts the supremacy of its right over that of the federal government to the ownership and use of those waters that are currently being unlawfully diverted by the federal government without justification to supply the demands of the needless federal forest overgrowth on Wyoming's watersheds: Now, therefore, be it

Resolved by the members of the Legislature of the State of Wyoming:

Section 1. That the legislature declares the existence of a state of emergency due to a shortage of water available to Wyoming caused in significant part by the deteriorating conditions of the state's watersheds located on federal lands. These conditions are due in turn to unnecessary excessive forest overgrowth. This overgrowth is unlawfully diverting Wyoming's waterflows, thus depleting Wyoming's total supply of water available to its citizens, communities, livestock, wildlife and wildlife habitats.

Section 2. (a) The legislature further finds that the continued existence of the state of emergency poses a direct threat to the health, safety, well-being and economic viability of Wyoming's citizens and to the continued health and viability of its communities, livestock, wildlife and wildlife habitats. It is therefore imperative that Wyoming take such actions as may be necessary to mitigate or eliminate the federal forest watershed overgrowth conditions that shall include the following:

(i) The state shall take any and all actions necessary to obtain a transfer to the state of such limited jurisdiction over federal lands as may be necessary to enable the state to take appropriate actions that are needed to restore the state's watersheds to a condition of health, and to increase waterflows available within Wyoming; and

(ii) Upon the transfer of the limited jurisdiction, the state shall utilize the police and contract powers of the state to the extent necessary to garner the public and private resources and services needed to mitigate and ultimately eliminate the state of emergency hereby declared.

Section 3. (a) The legislature further finds that to further achieve the objectives of this resolution, within ninety (90) days of this resolution, the governor of this state shall consider:

(i) Taking actions necessary and appropriate pursuant to the provision of 7 U.S.C. §2268 and any other state or federal law that may be determined relevant by the attorney general of this state in order to request and obtain from the United States Secretary of Agriculture limited jurisdiction over relevant federal lands as may be necessary for Wyoming to restore its watersheds to a condition of health and thereby increase the waterflows that may be derived from the watersheds; and

(ii) Including within the application to the United States Secretary of Agriculture for the transfer of the limited jurisdiction an express provision that any acceptance by Wyoming of a transfer of limited jurisdiction to restore watershed health upon federal lands shall be conditioned on Wyoming's receipt of sufficient federal funds determined by Wyoming to be necessary to enable the state to perform the actions needed to mitigate or eliminate the state of emergency created by the federal government's impairment of Wyoming's watersheds, waterflows and aggregate water supplies.

Section 4. (a) The legislature further finds that in the event limited jurisdiction coupled with necessary federal funds are not made available by the United States Secretary of Agriculture to Wyoming within one hundred eighty (180) days from the date this resolution is passed, the governor shall direct the Wyoming attorney general to consider the preparation, filing and pursuit of a lawsuit on behalf of Wyoming to:

(i) Obtain a judicial declaration of Wyoming's lawful right to the waterflows originating from watersheds located on federal lands within the state;

(ii) Obtain a judicial declaration of the impairment of the state's rights to waterflows originating on federal lands as a foreseeable consequence of excessive and unjustifiable forest overgrowth; and

(iii) Compel the United States, the Secretary of Agriculture and the Forest Service to take such actions as may be determined by a court of law to be necessary, appropriate and lawful to mitigate or eliminate the state of emergency declared by this act.

Section 5. That the Secretary of State of Wyoming transmit copies of this resolution to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress, to the United States Secretary of Interior and the United States Secretary of Agriculture and to the Wyoming Congressional Delegation.

POM-79. A concurrent resolution adopted by the Legislature of the State of Kansas relative to urging the Federal Energy Regulatory Commission to work to develop sufficient electric transmission facility infrastructure and design and implement regional transmission; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 5007

Whereas, The existing transmission systems in the United States is an extensive network of high-voltage powers lines which transport electricity from generators to consumers and which must accommodate the

nation's growing demand for reliable and affordable power; and

Whereas, The system is rapidly becoming congested due to growth in demand, investment in new generation facilities and lack of investment in expansion and improvement of transmission facilities; and

Whereas, Expansion and improvement of the transmission system is vital to the national interest because congestion creates bottlenecks which result in decreased reliability less competition, higher prices to consumers and increased infrastructure vulnerability; and

Whereas, The United States Department of Energy recognizes that Kansas transmission system is vital to the national interest because congestion creates bottlenecks which result in decreased reliability, less competition, higher prices to consumers and increased infrastructure vulnerability; and

Whereas, The existing transmission systems is increasingly incapable of providing reliable service to the nature load in Kansas and does not have the capacity to support economic development of renewable and fossil-fuel resources or to economically dispatch power within the state; and

Whereas, The existing transmission system experience significant constraints to the importation of additional power from outside the state and export of additional power to markets beyond the state's boundaries in support of national energy reliability and clean air standards; and

Whereas, The leadership of the Federal Energy Regulatory Commission is crucial to resolving issues related to cost recovery of transmission facility upgrades and regional transmission system reliability issues: Now, therefore, be it

Resolved by the House of Representatives of the State of Kansas, the Senate concurring therein, That the Legislature urges the Federal Energy Regulatory Commission to work with the State of Kansas in development of sufficient transmission facility infrastructure to support the state's economic development efforts and the nations growing energy, security and reliability needs, along with the design and implementation of regional transmission organizations and cost recovery mechanisms, and be it further

Resolved, That the Secretary of State is directed to provide a copy of this enrolled resolution to each member of the Federal Energy Regulatory Commission, the President of the United States, the Vice-President of the United States, the United States Secretary of Energy, the President Pro Tempore of the United States Senate, the Minority leader of the United States House of Representatives, each member of the Kansas Congressional delegation, the State Corporation Commission, the Nebraska Power Review Board, the Missouri Public Service Commission, the Oklahoma Corporation Commission and the Public Utility Commission of Texas.

I hereby certify that the above Concurrent Resolution originated in the House, and was adopted by that body.

POM-80. A Senate resolution adopted by the Legislature of the State of Michigan relative to expressing support to the war in Iraq; to the Committee on Foreign Relations.

SENATE RESOLUTION NO. 37

Whereas, While our nation has faced a wide range of threats to our freedom over the years, the unique war on terrorism in which we now find ourselves engaged demands an exceptional commitment. From our leaders and our military to our citizens and state and local governments, we all must work together to increase the security of our homeland. In the aftermath of September 11th,

our country must deal with the entire range of terrorist threats before us; and

Whereas, The ongoing preparations for a military action to deal with threats from Iraq and its weapons of mass destruction are a direct and necessary response for the United States and our allies. As the world learns more about the links between the reign of hatred of Saddam Hussein and international terrorist organizations, including those affiliated with Osama bin Laden, the gravity of the world's situation has become increasingly clear. The smokescreen of misinformation that has hampered United Nations efforts in Iraq must not be permitted to jeopardize the homeland security of our nation or the stability of other parts of the world; and

Whereas, A number of Michigan citizen soldiers are engaged in the noble effort to defend our liberties. In addition to those already serving in the military, several reserve units have been called into duty. It is important to voice our support for all of them, as their courage and steadfastness in the face of war represents the highest standard of citizenship. For the families with loved ones in the military, the world's tensions take on much more intensity. Once again, we are reminded that the true cost of freedom is clearly beyond measure; and

Whereas, Unity in the face of adversity is essential for success in any grave battle. The people of this state, well aware of the high stakes of any military action, stand behind our President in his work to protect peace in our troubled world: Now, therefore, be it

Resolved by the Senate, That we express support for the President's strategy for protecting the security of the United States through our efforts in Iraq and to express support for the men and women of our military and their families; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GREGG, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 880. An original bill to amend the Child Care and Development Block Grant Act of 1990 to reauthorize the Act, to improve early learning opportunities and promote school preparedness, and for other purposes (Rept. No. 108-37).

By Mr. KENNEDY, from the Committee on the Judiciary, without amendment with a preamble:

S. Res. 117. An original resolution recognizing the 100th anniversary of the founding of the Laborers' International Union of North America, and congratulating members and officers of the Laborers' International Union of North America for the union's many achievements.

By Mr. GREGG, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 538. A bill to amend the Public Health Service Act to establish a program to assist family caregivers in accessing affordable and high-quality respite care, and for other purposes.

By Mr. INHOFE, from the Committee on Environment and Public Works, without amendment:

S. 703. A bill to designate the regional headquarters building for the National Park Service under construction in Omaha, Ne-

braska, as the "Carl T. Curtis National Park Service Midwest Regional Headquarters Building".

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. WARNER for the Committee on Armed Services.

Army nomination of Maj. Gen. H. Steven Blum.

By Mr. LUGAR for the Committee on Foreign Relations.

Dennis L. Schornack, of Michigan, to be Commissioner on the part of the United States on the International Joint Commission, United States and Canada.

Joseph LeBaron, of Oregon, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Islamic Republic of Mauritania.

Reno L. Harnish, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Azerbaijan.

Heather M. Hodges, of Ohio, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Moldova.

Gregory W. Engle, of Colorado, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Togolese Republic.

Eric S. Edelman, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Turkey.

Jay T. Snyder, of New York, to be a Member of the United States Advisory Commission on Public Diplomacy.

Harold C. Pachios, of Maine, to be a Member of the United States Advisory Commission on Public Diplomacy.

Elizabeth F. Bagley, of the District of Columbia, to be a Member of the United States Advisory Commission on Public Diplomacy.

Marie Sophia Aguirre, of the District of Columbia, to be a Member of the United States Advisory Commission on Public Diplomacy.

Marie Sophia Aguirre, of the District of Columbia, to be a Member of the United States Advisory Commission on Public Diplomacy.

Barbara McConnell Barrett, of Arizona, to be a Member of the United States Advisory Commission on Public Diplomacy.

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Charles William Evers III, of Florida, to be a Member of the United States Advisory Commission on Public Diplomacy.

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Wayne E. Neill, of Nevada, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Benin.

Stephen D. Mull, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Ex-

traordinary and Plenipotentiary of the United States of America to the Republic of Lithuania.

Ralph Frank, of Washington, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Croatia.

William M. Bellamy, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kenya.

Helen R. Meagher La Lime, of Florida, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mozambique.

Pamela J. H. Slutz, of Texas, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Mongolia.

Stephen M. Young, of New Hampshire, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kyrgyz Republic.

By Mr. HATCH for the Committee on the Judiciary.

Cecilia M. Altonaga, of Florida, to be United States District Judge for the Southern District of Florida.

Susan G. Braden, of the District of Columbia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Charles F. Lettow, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

By Mr. SPECTER for the Committee on Veterans' Affairs.

*John W. Nicholson, of Virginia, to be Under Secretary of Veterans Affairs for Memorial Affairs.

*Bruce E. Kasold, of Virginia, to be a Judge of the United States Court of Appeals for Veterans Claims for the term prescribed by law.

*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.)

NOMINATIONS DISCHARGED

On request by Mr. MCCONNELL and by unanimous consent, it was ordered, That the following nominations be discharged from the Committee on Health, Education, Labor and Pensions.

DEPARTMENT OF EDUCATION

Karen Johnson, of Virginia, to be Assistant Secretary for Legislation and Congressional Affairs, Department of Education.

NATIONAL SCIENCE FOUNDATION

Barry C. Barish, of California, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2008.

Delores M. Etter, of Maryland, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2008.

Daniel E. Hastings, of Maryland, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2008.

Douglas D. Randall, of Massachusetts, to be a Member of the National Science Board,