

S. RES. 121

Whereas the Senate has learned with sadness of the death of columnist and editor Michael Kelly;

Whereas Michael Kelly, a native of Washington, D.C., greatly distinguished himself as a newspaper reporter, political columnist, writer, and magazine editor;

Whereas Michael Kelly was embedded with the Third Infantry Division of the United States Army in Iraq to record history from the perspective of the soldiers on the field of battle;

Whereas Michael Kelly distinguished himself early in his career as a reporter for the Cincinnati Post, Baltimore Sun, New York Times, and the New Yorker;

Whereas Michael Kelly served as editor of the National Journal and New Republic;

Whereas Michael Kelly was most recently a columnist for the Washington Post and the editor of the Atlantic Monthly, which under his stewardship was awarded three National Magazine Awards last year;

Whereas Michael Kelly's political columns represent a major contribution to American political discourse;

Whereas Michael Kelly's reporting during the Persian Gulf War of 1991 was published as a book entitled "Martyr's Day";

Whereas Michael Kelly was a devoted husband to his wife, Madelyn, a proud father to his sons, Tom and Jack, and a dutiful son to his parents, Thomas and Marguerite Kelly; and

Whereas Michael Kelly's wit, acumen, intellect, patriotism, and passion will be forever remembered by his friends, colleagues, and the countless strangers whose lives he touched with his powerful writings: Now, therefore, be it

Resolved, That the Senate—

- (1) pays tribute to the outstanding career and memorable writings of Michael Kelly;
- (2) expresses its deepest condolences to his family; and
- (3) directs the Secretary of the Senate to direct an enrolled copy of this resolution to the family of Michael Kelly.

SENATE CONCURRENT RESOLUTION 36—EXPRESSING THE SENSE OF THE CONGRESS REGARDING THE BLUE STAR SERVICE BANNER AND THE GOLD STAR

Mr. DASCHLE (for himself, Mr. HAGEL, Mr. JOHNSON, Mr. FRIST, Mr. KERRY, Mr. STEVENS, Mr. GRASSLEY, Mr. BOND, Mr. MCCAIN, Mr. REID, and Mr. ROCKEFELLER) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 36

Whereas the Blue Star Service Banner was patented and designed in 1917, during the height of the First World War, by Army Captain Robert L. Queissner of the 5th Ohio Infantry, who had two sons serving on the front lines;

Whereas the banner quickly became the symbol for a family member serving the Nation and families began proudly displaying these banners in their front windows during the First World War;

Whereas each Blue Star on the banner represents a family member serving in the Armed Services and symbolizes hope and pride;

Whereas beginning in 1918, the Blue Star would signify the living, and a smaller Gold Star would be placed on top of the Blue Star, forming a blue border, if the family member was killed or died while on active duty, to

symbolize his or her sacrifice for the cause of freedom;

Whereas the placement of a Gold Star on top of a Blue Star recognizes that those who served together and came home, as well as their families, will always remember the sacrifice of those who died and honor their families;

Whereas the banners were displayed widely during the Second World War;

Whereas many of the banners displayed during the First and Second World Wars were hand-made by the mothers of those serving in the Armed Forces;

Whereas the legacy of the banner continued during the Korean, Vietnam, and Persian Gulf Wars and other periods of conflict, as well as in times of peace;

Whereas the Blue Star Service Banner is the official banner authorized by law to be displayed in honor of a family member serving the United States, while the Gold Star may be displayed in honor of a family member who has made the ultimate sacrifice for the Nation;

Whereas for over 85 years, families have proudly displayed the Blue Star Service Banner showing service men and women the honor and pride that is taken in their sacrifices for freedom;

Whereas the banner may be displayed by members of the immediate family of a loved one serving in the Armed Forces, including active duty service in a unit of the National Guard, Merchant Marine, or the Reserves;

Whereas the banner may be flown by families with a service member stationed either domestically or overseas;

Whereas the display of the banner in the front window of a home shows a family's pride in their loved one and is a reminder that preserving America's freedom demands great sacrifice; and

Whereas this reminder is especially timely during the current conflict with Iraq and the war on terrorism: Now, therefore, be it

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

- (1) calls on all Americans to honor the men and women of the United States Armed Forces and their families;
- (2) honors the men and women of the United States Armed Forces and their families;
- (3) encourages these families to proudly display the Blue Star Service Banner or, if their loved one has made the ultimate sacrifice, the Gold Star; and
- (4) calls on the media to recognize the importance of the Blue Star Service Banner and its symbolism of the devotion and service of the men and women of the United States Armed Forces.

SEC. 2. The authority on which this resolution rests is the authority of Congress to make all laws which shall be necessary and proper as provided in Article I, section 8 of the United States Constitution.

SENATE CONCURRENT RESOLUTION 37—EXPRESSING SUPPORT FOR THE CELEBRATION OF PATRIOT'S DAY AND HONORING THE NATION'S FIRST PATRIOTS

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

S. CON. RES. 37

Whereas on the evening of April 18, 1775, Paul Revere was sent for by Dr. Joseph Warren and instructed to ride to Lexington, Massachusetts, to warn Samuel Adams and John Hancock that British troops were marching to arrest them;

Whereas after leaving Charlestown on his way to Lexington, Paul Revere alerted the inhabitants of villages and towns along his route, stopping in Medford (formerly Mystic) at the home of Isaac Hall, the captain of the Medford Minutemen during the Revolutionary War, before continuing on through Arlington (formerly Menotomy) and arriving in Lexington around midnight;

Whereas William Dawes and a third rider, Dr. Samuel Prescott joined Paul Revere on his mission and they proceeded together on horseback to Lincoln;

Whereas while en route they encountered a British patrol that arrested Paul Revere, but William Dawes and Samuel Prescott managed to escape and continued on to Concord where weapons and supplies were hidden;

Whereas the midnight ride of Paul Revere was brilliantly and forever commemorated by the great American poet Henry Wadsworth Longfellow in his 1861 poem "Paul Revere's Ride";

Whereas the actions taken by Paul Revere, William Dawes, and Samuel Prescott afforded the Minutemen time to assemble to confront the advancing British troops and were heralded as one of the first great acts of patriotism of our Nation;

Whereas 38 Lexington Minutemen boldly stood before 600-800 British troops who had gathered at Lexington Green;

Whereas Captain Parker of the Lexington Minutemen commanded his men, "Don't fire unless you are fired on; but if they want a war, let it begin here.";

Whereas when the British continued onto Concord, a battle ensued at the Old North Bridge, where Minutemen from every Middlesex village and town routed the British and forced them into retreat back to Boston;

Whereas Ralph Waldo Emerson immortalized this moment in American history as where "the embattled farmers stood and fired the shot heard 'round the world.'";

Whereas the United States has recognized the historic significance of the Nation's original patriots with the creation in 1959 of the Minute Man National Historical Park, located in Concord, Lincoln, and Lexington, Massachusetts, to preserve and protect the numerous significant historic sites, structures, properties, and landscapes associated with the opening battles of the American Revolution, and to help visitors understand and interpret the colonial struggle for their rights and freedoms; and

Whereas the heroic acts of April 19, 1775, are celebrated in Massachusetts and Maine every year as part of Patriot's Day with a reenactment of Paul Revere's famous ride, battle reenactments, educational programs, parades, and civic activities, and remembered by Americans across the United States: Now, therefore, be it

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

- (1) expresses support for the celebration of Patriot's Day;
- (2) recognizes the extraordinary dedication to freedom demonstrated by the Nation's first patriots during the earliest days of the Battle for Independence in April 1775; and
- (3) honors those first patriots who lost their lives in defense of liberty and freedom.

SENATE CONCURRENT RESOLUTION 38—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND A CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. FRIST submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 38

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns at the close of business on Friday, April 11, 2003, or Saturday, April 12, 2003, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, April 28, 2003, or until such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first, and that when the House adjourns on any legislative day from Saturday, April 12, 2003, through Friday, April 18, 2003, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Tuesday, April 29, 2003, or until Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

AMENDMENTS SUBMITTED & PROPOSED

SA 531. Mr. SUNUNU (for Mr. HATCH) proposed an amendment to the resolution S. Res. 117, 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.

TEXT OF AMENDMENTS

SA 531. Mr. SUNUNU (for Mr. HATCH) proposed an amendment to the resolution S. Res. 117, 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; as follows:

Strike all after the resolving clause and insert the following: "That the Senate—

"(1) recognizes the founding and establishment of labor organizations, which have made a tremendous contribution to the structural development and building of the United States, and to the well-being of countless workers;

"(2) congratulates labor organizations for their many achievements and the strength of their membership; and

"(3) expects that labor organizations will continue their dedicated work and will have an even greater impact in the 21st century and beyond, and will enhance the standard of living and work environment for laborers and other workers in generations to come."

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON THE JUDICIARY

Mr. NICKLES. Mr. President, I ask unanimous consent that the Com-

mittee on the Judiciary be authorized to meet to conduct a markup on Friday, April 11, 2003, at 10 a.m., in Dirksen Room 226.

I. Nominations: J. Leon Holmes to be U.S. District Judge for the Eastern District of Arkansas; Susan G. Braden to be Judge for the Court of Federal Claims; Charles F. Lettow to be Judge for the Court of Federal Claims; Cecilia M. Altonaga to be United States District Judge for the Southern District of Florida; and Patricia Head Minaldi to be United States District Judge for the Western District of Louisiana

II. Bills: S. 274—Class Action Fairness Act of 2003; S. 731—Secure Authentication Feature and Enhanced Identification Defense Act of 2003 ("SAFE ID ACT"); S. Res. 108—Designating April 21 through 27, 2003, as "National Cowboy Poetry Week" [BURNS, HATCH, REID, BROWNBACK]; S. Res. 111—Designating April 30, 2003 as "Día de los Niños: Celebrating Young Americans" [HATCH]; and S.J. Res. 8—A joint resolution expressing the sense of Congress with respect to raising awareness and encouraging prevention of sexual assault in the United States and supporting the goals and ideals of National Sexual Assault Awareness and Prevention Month [BROWNBACK, BIDEN, DEWINE, SCHUMER].

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

PRIVILEGE OF THE FLOOR

Mr. HARKIN. I ask unanimous consent for fellow Julianne Carter to have the privilege of the floor for the duration of this debate and when we come back for debate on Jeffrey Sutton.

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

SMALLPOX EMERGENCY PERSONNEL PROTECTION ACT OF 2003

Mr. SUNUNU. Madam President, I ask unanimous consent that the Senate immediately proceed to H.R. 1770, which is being held at the desk.

The PRESIDING OFFICER. The clerk will state the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1770) to provide benefits and other compensation for certain individuals with injuries resulting from administration of smallpox countermeasures, and for other purposes.

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

Mr. FRIST. Madam President, I rise today in strong support of the Smallpox Compensation Act of 2003.

I applaud the leadership of Senator JUDD GREGG, the distinguished Chairman of the Health, Education, Labor, and Pensions Committee. He has done a tremendous benefit for the Nation through this critical legislation when there is such great need to improve our public health preparedness.

I commend Senator EDWARD KENNEDY for his efforts to achieve bipartisan

consensus on the smallpox legislation we are considering today. I also thank all of the members of the Senate Health, Education, Labor, and Pensions Committee, and for the work of Representatives BILLY TAUZIN and JOHN DINGELL for their efforts to develop and pass this legislation.

Finally, the President of the United States deserves great credit for working to ensure that America is prepared against the threat of bioterrorism, and that the Nation's healthcare workers, first responders, and their families are protected from adverse affects that may result from smallpox vaccinations. Without President Bush's commitment, we could not have reached this critical agreement.

We know the grave danger that a smallpox attack poses. Smallpox is one of the deadliest diseases known to man. Health experts, the Federal Government, and State and local health entities continue to address the smallpox threat, including the development of a long-term immunization plan.

The administration has taken great steps to meet this threat by setting forth an immunization plan for our Nation's healthcare workers and first responders.

However, too many healthcare workers have been deterred from receiving the smallpox vaccine—in part because of uncertainties about what would happen, and how they would provide for themselves, if they suffered a serious adverse reaction to the vaccine.

This legislation helps to respond to that fear. It makes clear that adequate compensation will be available if an individual becomes ill or dies as a result of receiving the smallpox vaccine.

Passing this legislation will help strengthen President Bush's plan to vaccinate healthcare workers, public health officials and first responders—a vaccination strategy that is vital to our national security.

This legislation is part of a long-term strategy. We must continue to work to ensure appropriate liability and compensation measures for future countermeasures, as well as strong communications, surveillance, capacity-building and research efforts to strengthen our overall public health infrastructure to respond to emerging public health threats.

Indeed, this is not purely a public health issue; it is also an issue of national security. We must ensure that an adequate number of healthcare workers and first responders are vaccinated in order to protect the American people should smallpox be used as an offensive weapon. Dr. Anthony Fauci of the National Institutes of Health, NIH, has noted, in fact, that we would have perhaps only 2-3 days to vaccinate exposed individuals and prevent death in the event of an outbreak. This task would be nearly impossible without having an adequate number of individuals vaccinated prior to an outbreak.

While the risk of a smallpox attack is not necessarily high, the risk is real.