

Mr. FRIST. Mr. President, there is not an hour that goes by that we don't either pass in the hallway or on the Capitol grounds our Capitol Police. On the occasion of this 175th anniversary, it gives us this formal opportunity to express our gratitude to the men and women of the Capitol Police. It is nice to be able to put H. Con. Res 156 forward because we have a lot to be thankful for each and every day for their tremendous work.

MEASURE READ THE FIRST  
TIME—S. 14

Mr. FRIST. Mr. President, I understand that S. 14, introduced earlier today, is at the desk and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The legislative clerk read as follows:

A bill (S. 14) to enhance the energy security of the United States, and for other purposes.

Mr. FRIST. Mr. President, I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will remain at the desk.

MEASURE READ THE FIRST  
TIME—H. J. RES. 51

Mr. FRIST. Mr. President, I understand that H.J. Res. 51 is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the joint resolution for the first time.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 51) increasing the statutory limit on the public debt.

Mr. FRIST. Mr. President, I ask for its second reading and object to further proceeding on this matter.

The PRESIDING OFFICER. Objection is heard. The joint resolution will remain at the desk.

MEASURE INDEFINITELY  
POSTPONED—S. 760

Mr. FRIST. Mr. President, I ask unanimous consent that Calendar No. 62, S. 760, be indefinitely postponed.

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

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT 108-5  
AND TREATY DOCUMENT 108-6

Mr. FRIST. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaties transmitted to the Senate on April 30, 2003, by the President of the United States: Amendments to Constitution and Convention of International Telecommunication Union, Geneva 1992, Treaty Document No. 108-5, and Protocol of Amendment to International

Convention on Simplification and Harmonization of Customs Procedures, Treaty Document 108-6.

I further ask that the treaties be considered as having been read the first time; that they be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's messages be printed in the RECORD.

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

The messages of the President are as follows:

*To the Senate of the United States:*

I transmit herewith for Senate advice and consent to ratification, the amendments to the Constitution and Convention of the International Telecommunication Union (ITU) (Geneva 1992), as amended by the Plenipotentiary Conference (Kyoto 1994), together with declarations and reservations by the United States as contained in the Final Acts of the Plenipotentiary Conference (Minneapolis 1998). I transmit also, for the information of the Senate, the report of the Department of State concerning these amendments.

Prior to 1992, and as a matter of general practice, previous Conventions of the ITU were routinely replaced at successive Plenipotentiary Conferences held every 5 to 10 years. In 1992, the ITU adopted a permanent Constitution and Convention. The Constitution contains fundamental provisions on the organization and structure of the ITU, as well as substantive rules applicable to international telecommunications matters. The ITU Convention contains provisions concerning the functioning of the ITU and its constituent organs.

Faced with a rapidly changing telecommunication environment, the ITU in 1994 adopted a few amendments to the 1992 Constitution and Convention. These amendments were designed to enable the ITU to respond effectively to new challenges posed.

The pace at which the telecommunication market continues to evolve has not eased. States participating in the 1998 ITU Plenipotentiary Conference held in Minneapolis submitted numerous proposals to amend the Constitution and Convention. As discussed in the attached report of the Department of State concerning the amendments, key proposals included the following: amendments to clarify the rights and obligations of Member States and Sector Members; amendments to increase private sector participation in the ITU with the understanding that the ITU is to remain an intergovernmental organization; amendments to strengthen the finances of the ITU; and amendments to provide for alternative procedures for the adoption and approval of questions and recommendations.

Consistent with longstanding practice in the ITU, the United States, in signing the 1998 amendments, made certain declarations and reservations. These declarations and reservations

are discussed in the report of the Department of State, which is attached hereto.

The 1992 Constitution and Convention and the 1994 amendments thereto entered into force for the United States on October 26, 1997. The 1998 amendments to the 1992 Constitution and Convention as amended in 1994 entered into force on January 1, 2000, for those states, which, by that date, had notified the Secretary General of the ITU of their approval thereof. As of the beginning of this year, 26 states had notified the Secretary General of the ITU of their approval of the 1998 amendments.

Subject to the U.S. declarations and reservations mentioned above, I believe the United States should ratify the 1998 amendments to the ITU Constitution and Convention. They will contribute to the ITU's ability to adapt to a rapidly changing telecommunication environment and, in doing so, will serve the needs of the United States Government and U.S. industry.

I recommend that the Senate give early and favorable consideration to these amendments and that the Senate give its advice and consent to ratification.

GEORGE W. BUSH.  
THE WHITE HOUSE, April 30, 2003.

*To the Senate of the United States:*

I transmit herewith for Senate advice and consent to accession, the Protocol of Amendment to the International Convention on the Simplification and Harmonization of Customs Procedures done at Brussels on June 26, 1999. The Protocol amends the International Convention on the Simplification and Harmonization of Customs Procedures done at Kyoto on May 18, 1973, and replaces the Annexes to the 1973 Convention with a General Annex and 10 Specific Annexes (together, the "Amended Convention"). I am also transmitting, for the information of the Senate, the report of the Department of State on the Amended Convention.

The Amended Convention seeks to meet the needs of international trade and customs services through the simplification and harmonization of customs procedures. It responds to modernization in business and administrative methods and techniques and to the growth of international trade, without compromising standards of customs control. Accession by the United States would further the U.S. interest in reducing non-tariff barriers to international trade.

By acceding to the Protocol, a state consents to be bound by the amended 1973 Convention and the new General Annex. At the same time, or anytime thereafter, Parties have the option of accepting any of the Specific Annexes (or Chapters thereof), and may at that time enter reservations with respect to any Recommended Practices contained in the Specific Annexes. In accordance with these terms, I propose that the United States accept seven of the Specific Annexes in their entirety and all

the Chapters, but one of each of two other Specific Annexes (A–E, G, and H, as well as Chapters 1, 2, and 3 of F, and Chapters 1, 3, 4, and 5 of J), and enter the reservations proposed by the Bureau of Customs and Border Protection as set forth in the enclosure to the report of the Department of State. The provisions for which reservation is recommended conflict with current U.S. legislation or regulations. With these proposed reservations, no new implementing legislation is necessary in order to comply with the Amended Convention.

Accession to the Protocol by the United States would contribute to important U.S. interests. First, accession by the United States would benefit the United States and U.S. businesses by facilitating greater economic growth, increasing foreign investment, and stimulating U.S. exports through more predictable, standard, and harmonized customs procedures governing cross-border trade transactions. Setting forth standardized and simplified methods for conducting customs business is important for U.S. trade interests in light of the demands of increased trade flows, as is the use of modernized technology and techniques for customs facilitation. These achievements can best be pursued by the United States as a Party to the Amended Convention. Second, through early accession, the United States can continue to take a leadership role in the areas of customs and international trade facilitation as the U.S. accession would encourage other nations, particularly developing nations, to accede as well.

I recommend that the Senate give early and favorable consideration to the Protocol and give its advice and consent to accession.

GEORGE W. BUSH.  
THE WHITE HOUSE, April 30, 2003.

ORDERS FOR THURSDAY, MAY 1, 2003

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:15 a.m., Thursday, May 1. I further ask that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day, and there then be 1 hour for debate equally divided in the usual form prior to the vote on cloture on the nomination of Priscilla Owen to be a circuit judge for the Fifth Circuit. I further ask unanimous consent that if cloture is not invoked, the Senate immediately proceed to the consideration of Execu-

tive Calendar No. 105, the nomination of Edward Prado to be a circuit judge for the Fifth Circuit.

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

PROGRAM

Mr. FRIST. For the information of all Senators, the Senate will vote on the motion to invoke cloture on the nomination of Priscilla Owen at 10:15 tomorrow. If cloture is not invoked, the Senate will begin consideration of the nomination of Edward Prado to be a circuit judge for the Fifth Circuit. It is my hope that we can reach a short time agreement, with the vote on the nomination to occur by early afternoon. I also hope the Senate can vote on the Cook nomination during tomorrow's session.

In addition to those executive matters, the Senate may also consider the FISA legislation, the State Department authorization bill, the bioshield legislation, or additional judicial nominations during tomorrow's session. Therefore, Senators should expect roll-call votes throughout the day.

ADJOURNMENT UNTIL 9:15 A.M. TOMORROW

Mr. FRIST. 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 7:09 p.m., adjourned until Thursday, May 1, 2003, at 9:15 a.m.

NOMINATIONS

Executive nominations received by the Senate April 30, 2003:

DEPARTMENT OF STATE

ROBERT W. FITTS, OF NEW HAMPSHIRE, 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 PAPUA NEW GUINEA, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SOLOMON ISLANDS AND AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF VANUATU.

JOHN E. HERBST, 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 UKRAINE.

WILLIAM B. WOOD, OF NEW YORK, 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 COLOMBIA.

HARRY K. THOMAS, JR., OF NEW YORK, 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 PEOPLE'S REPUBLIC OF BANGLADESH.

TRACEY ANN JACOBSON, OF THE DISTRICT OF COLUMBIA, A FOREIGN SERVICE OFFICER OF CLASS ONE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO TURKMENISTAN.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

LISA GENEVIEVE NASON, OF ALASKA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE INSTITUTE OF

AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT FOR A TERM EXPIRING OCTOBER 18, 2004, VICE THOMAS A. THOMPSON, TERM EXPIRED.

GEORGIANNA E. IGNACE, OF WISCONSIN, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT FOR A TERM EXPIRING OCTOBER 18, 2004, VICE KENNETH BLANKENSHIP, TERM EXPIRED.

JOHN RICHARD GRIMES, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT FOR A TERM EXPIRING MAY 19, 2006, VICE JAYNE G. FAWCETT.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. BEN F. GAUMER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

MICHAEL U. RUMP, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

WILLIAM A. DAVIES, 0000  
GARY S. TOLLERENE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

DOUGLAS W. FENSKE, 0000  
MICHAEL J. KAUTZ, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

BRIAN H. MILLER, 0000  
DAVID N. RIDLEY, 0000  
PERRY T. TUBEY, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

GERALD W. CLUSEN, 0000  
KAREN J. HARD, 0000  
CHERYL A. LOCKE, 0000  
VICTORIA E. MAZZARELLA, 0000  
DANIEL L. SCHAFER, 0000  
MARK A. WILSON, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

KENNETH J. BRAITHWAITE, 0000  
GORDON J. DELCAMBRE JR., 0000  
MARY E. HANSON, 0000  
TERRI KAISH, 0000  
PHILLIP B. MCGUINN, 0000  
FRANK A. MERRIMAN, 0000  
ANDREW H. WILSON, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

CHRISTOPHER M. BALLISTER, 0000  
THOMAS BARANEK, 0000  
JAMES J. BILLMAN, 0000  
JEFFREY G. CANCLINI, 0000  
CHRISTOPHER L. CROSS, 0000  
JEANNE E. FRAZIER, 0000  
CARL M. M. LEE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JEFFREY D. ADAMSON, 0000  
JOSEPH F. AHLSTROM, 0000  
CHRISTOPHER S. BEGLEY, 0000  
WARREN J. BRAGG, 0000  
EUGENE M. DAWYDIK, 0000  
MICHAEL B. JEWELL, 0000  
PAUL A. LONDYNSKY, 0000  
MARCUS K. NEESON, 0000