

Trifluoromethylpiperazine Into Schedule I" received May 19, 2003; to the Committee on the Judiciary.

EC-2419. A communication from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Rescheduling of Buprenorphine From Schedule V to Schedule III" received on May 19, 2003; to the Committee on the Judiciary.

EC-2420. A communication from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Dispensing of Controlled Substances to Assist Suicide (AG Order No. 2534-2001)" received on May 19, 2003; to the Committee on the Judiciary.

EC-2421. A communication from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Temporary Placement of 2,5-dimethoxy-4(n)-propylthiophenethylamine into Schedule I" received on May 19, 2003; to the Committee on the Judiciary.

EC-2422. A communication from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of controlled substances; Temporary Placement of Alpha-methyltryptamine and 5-methoxy-N, N-diisopropyltryptamine into Schedule I" received on May 19, 2003; to the Committee on the Judiciary.

EC-2423. A communication from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Excluded Veterinary Anabolic Steroid Implant Products" received on May 19, 2003; to the Committee on the Judiciary.

EC-2424. A communication from the Secretary of Defense, transmitting, pursuant to subsection 111(b) of division M of the Consolidated Appropriations Resolution, 2003 (Public Law 108-7), the report relative to the Terrorism (nee Total) Information Awareness program, received on May 19, 2003; to the Select Committee on Intelligence.

EC-2425. A communication from the Acting Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Size Standards; Tour Operators (3245-AE98)" received on May 19, 2003; to the Committee on Small Business and Entrepreneurship.

EC-2426. A communication from the Acting Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Size Regulations; Petroleum Refiners (3245-AE84)" received on May 15, 2003; to the Committee on Small Business and Entrepreneurship.

EC-2427. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the report of a draft rule entitled "To amend titled 38, United States Code, to improve benefits for Filipino veterans of World War II and survivors of such veterans, and for other purposes" received on May 19, 2003; to the Committee on Veterans' Affairs.

EC-2428. A communication from the Secretary of State, transmitting, pursuant to law, the report of the Department of State Performance Plan for FY 2004, received on May 15, 2003; to the Committee on Governmental Affairs.

EC-2429. A communication from the General Counsel, Executive Office of the President, transmitting, pursuant to law, the report of a vacancy and nomination for the position of Deputy Director for Management of the Office of Management and Budget, received on May 15, 2003; to the Committee on Governmental Affairs.

EC-2430. A communication from the Director, Financial Management and Assurance, General Accounting Office, transmitting, pursuant to law, the report of document entitled "Financial Audit: Congressional Award Foundation's Fiscal Years 2002 and 2001 Financial Statements" received on May 15, 2003; to the Committee on Governmental Affairs.

EC-2431. A communication from the President and Chief Executive Officer, Overseas Private Investment Corporation (OPIC), transmitting, pursuant to law, OPIC's Management Report, the Annual Performance Plan, and the Annual Program Performance Report for Fiscal Year 2002; OPIC's Report on Development and U.S. Effects of Fiscal Year 2002 Projects, and a Report on Cooperation with Private Insurers; OPIC's Report on the Environment, received on May 15, 2003; to the Committee on Governmental Affairs.

EC-2432. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report relative to Six countries not cooperating fully with U.S. antiterrorism efforts: Cuba, Iran, Libya, North Korea, Sudan, and Syria, received on May 15, 2003; to the Committee on Foreign Relations.

EC-2433. A communication from the President and CEO, transmitting, pursuant to law, the report of a draft legislation entitled "To amend the Foreign Assistance Act of 1961 with respect to the activities of the Overseas Private Investment Corporation"; to the Committee on Foreign Relations.

EC-2434. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad to Japan; to the Committee on Foreign Relations.

EC-2435. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$100,000,000 or more to the United Kingdom; to the Committee on Foreign Relations.

EC-2436. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$100,000,000 or more to Canada and the United Kingdom, received on May 19, 2003; to the Committee on Foreign Relations.

EC-2437. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad to Norway, received on May 19, 2003; to the Committee on Foreign Relations.

EC-2438. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the

export of Defense articles or defense services in the amount of \$100,000,000 or more to Germany, received on May 19, 2003; to the Committee on Foreign Relations.

EC-2439. A communication from the Director of Defense Research and Engineering, Department of Defense, transmitting, pursuant to law, the Annual Report of the Strategic Environmental Research and Development Program, received on May 15, 2003; to the Committee on Armed Services.

EC-2440. A communication from the Assistant Secretary of Defense, Health Affairs, Department of Defense, transmitting, pursuant to law, the Department of Defense Evaluation of the TRICARE Program Fiscal Year 2003 Report to Congress, received on May 15, 2003; to the Committee on Armed Services.

EC-2441. A communication from the Attorney/Advisor, Office of the General Counsel, Selective Service System, transmitting, pursuant to law, the report of a vacancy and designation of an acting officer for the position of Director, Selective Service System; to the Committee on Armed Services.

EC-2442. A communication from the Legal Counsel, Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of a nomination from the position of General Counsel for the Equal Employment Opportunity Commission, received on May 15, 2003; to the Committee on Health, Education, Labor, and Pensions.

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-124. A resolution adopted by the Senate of the State of Michigan relative to the armed Forces Tax Fairness Act of 2003; to the Committee on Finance.

SENATE RESOLUTION NO. 65

Whereas, Under the provisions of the Taxpayer Relief Act of 1997, home sellers are relieved of the obligation to pay taxes on capital gains of up to \$250,000 (\$500,000 per couple), if they have owned and occupied their home for at least two of the five years before the sale. This historic legislation made the federal tax code fairer and more equitable for millions of American taxpayers; and

Whereas, A glaring inequity in the tax code, however, affects a number of those who serve our nation as military personnel and who leave their homes on extended assignment. These brave men and women may be penalized for their selfless service on behalf of the American people and our allies. Many are unable to take advantage of the capital gains tax relief afforded ordinary citizens because their call to overseas duty may prevent them from physically occupying their homes for the required period of time; and

Whereas, Two measures currently before the 108th Congress (H.R. 1307 and S. 351) propose ending the injustice of the Taxpayer Relief Act's limitation regarding extended overseas military service. The Armed Forces Tax Fairness Act of 2003 would, in part, extend the five-year period used in calculating the full exemption for capital gain to ten years for persons engaged in qualified official extended duty in military or foreign service. This legislation will help assure that those who so proudly serve our nation will not be disserved by its tax code: Now, therefore, be it

Resolved by the Senate, That the United States Congress be memorialized to enact the Armed Forces Tax Relief Act of 2003; and be it further

Resolved, That copies of this resolution be presented to the Speaker of the United

States House of Representatives, the President of the United States Senate, and the members of the Michigan congressional delegation.

POM-125. A concurrent resolution passed by the Legislature of the State of Arizona relative to rescinding all of Arizona's previous calls for a constitutional convention to amend the Constitution of the United States, received on May 15, 2003; to the Committee on the Judiciary.

SENATE CONCURRENT RESOLUTION 1022

Whereas, the Legislature of the State of Arizona, acting with the best of intentions, has in the past applied to the Congress of the United States by memorial or resolution in accordance with article V, Constitution of the United States, for one or more constitutional conventions for the purpose of amending the Constitution of the United States; and

Whereas, over the course of time, the will of the people of the State of Arizona has changed with regards to Arizona's previous calls for a constitutional convention to amend the Constitution of the United States; and

Whereas, certain persons or states have called for a constitutional convention on issues that may be directly in opposition to the will of the people of this state; and

Whereas, the people of this state do not want their previous applications for a constitutional convention to be aggregated with those calls for a convention from other states; and

Whereas, former Justice of the United States Supreme Court Warren E. Burger, former Associate Justice of the United States Court Arthur J. Goldberg and many other leading constitutional scholars are in general agreement that a convention, notwithstanding whatever limitation might be placed on it by the call for a convention, may propose sweeping constitutional changes or, by virtue of the authority of a constitutional convention, redraft the Constitution of the United States creating an imminent peril to the well established rights of citizens and to the duties of various levels of government; and

Whereas, the Constitution of the United States has been amended many times in the history of this nation and may be amended many more times without the need to resort to a constitutional convention, and has been intercepted for more than two hundred years and found to be a sound document that protects the lives and liberties of citizens; and

Whereas, there is no need for, and in fact there is great danger in, a new constitution or in opening the Constitution of the United States racial changes, the adoption of which could create legal chaos in this nation and begin the process of another two centuries of litigation over its meaning and interpretation; and

Whereas, changes or amendments that may be needed in the present Constitution of the United States may be proposed and enacted without resorting to a constitutional convention by using the process provided in the Constitution and previously used throughout the history of this nation: Therefore be it

Resolved by the Senate of the State of Arizona, the House of Representatives concurring:

1. That the Legislature of the State of Arizona hereby repeals; rescinds, cancels, renders null and void and supersedes any and all existing applications to the Congress of the United States for a constitutional convention under Article V of the Constitution of the United States for any purpose, whether limited or general.

2. That the Legislature of the State of Arizona urges the legislature of each and every

state that has applied to Congress for either a general or limited constitutional convention to repeal and rescind their applications.

3. That the Secretary of State of the State of Arizona transmit copies of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives, the Administrator of General Services in Washington, DC., each Member of Congress from the State of Arizona and the Secretaries of State and presiding officers of both houses of the legislation of each state in the Union.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McCAIN, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 579. A bill to reauthorize the National Transportation Safety Board, and for other purposes (Rept. No. 108-53).

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

S. Res. 92. A resolution designating September 17, 2003 as "Constitution Day".

S. Res. 136. A resolution recognizing the 140th anniversary of the founding of the Brotherhood of Locomotive Engineers, and congratulating members and officers of the Brotherhood of Locomotive Engineers for the union's many achievements.

S. Res. 145. A resolution designating June 2003, as "National Safety Month".

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. 554. A bill to allow media coverage of court proceedings.

S. 858. A bill to extend the Abraham Lincoln Bicentennial Commission, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. WARNER for the Committee on Armed Services.

Air Force nomination of Maj. Gen. John W. Rosa, Jr.

Air Force nomination of Brig. Gen. Barbara C. Brannon.

Army nomination of Maj. Gen. Jerry L. Sinn.

Army nomination of Maj. Gen. Steven W. Boutelle.

Army nomination of Maj. Gen. Ricardo S. Sanchez.

Army nomination of Maj. Gen. Anthony R. Jones.

Army nomination of Maj. Gen. John R. Vines.

Army nomination of Brig. Gen. Emile P. Bataille.

Army nomination of Brig. Gen. David H. Hicks.

Army nomination of Brig. Gen. Brian L. Tarbet.

Army nomination of Chaplain (Col.) Jerome A. Haberek.

Navy nomination of Rear Adm. Michael J. McCabe.

Navy nomination of Rear Adm. (1h) John P. Debbout.

Navy nomination of Capt. Craig O. McDonald.

Mr. WARNER. Mr. President, for the Committee on Armed Services, I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unani-

mous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nominations beginning Elise A. * Ahlswede and ending Paul K. * Yenter, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 13, 2003.

Air Force nomination of Jefferson L. Severson.

Army nominations beginning Charles R. Bailey and ending David W. Smartt, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 29, 2003.

Marine Corps nominations beginning Benjamin T. Ackison and ending Robert B. Zwyer, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 14, 2003.

Navy nominations beginning Amando F. Abaya and ending Shanon J. Wells, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 1, 2003.

By Mr. HATCH for the Committee on the Judiciary.

Michael Chertoff, New Jersey, to be United States Circuit Judge for the Third Circuit.

Robert D. McCallum, Jr., of Georgia, to be Associate Attorney General.

Peter D. Keilser, of Maryland, to be an Assistant Attorney General.

(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. HARKIN (for himself, Mr. SPENCER, Mr. KOHL, Mr. DURBIN, Mr. FEINGOLD, Mrs. CLINTON, and Mr. SCHUMER):

S. 1103. A bill to clarify the authority of the Secretary of Agriculture to prescribe performance standards for the reduction of pathogens in meat, meat products, poultry, and poultry products processed by establishments receiving inspection services and to enforce the Hazard Analysis and Critical Control Point (HACCP) System requirements, sanitation requirements, and the performance standards; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BROWNBACK:

S. 1104. A bill to amend title 10, United States Code, to provide for parental involvement in abortions of dependent children of members of the Armed Forces; read the first time.

By Mr. BOND:

S. 1105. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating the French Colonial Heritage Area in the State of Missouri as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. SNOWE (for herself and Mr. KERRY):

S. 1106. A bill to establish National Standards for Fishing Quota Systems; to the Committee on Commerce, Science, and Transportation.

By Mr. THOMAS: