

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT-LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2004, AS OF DECEMBER 9, 2003—

Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
Homeland Security Appropriations (P.L. 108-90) .....	30,216	18,192	0
Emergency Supplemental Appropriations Act for Defense and Reconstruction of Iraq and Afghanistan (P.L. 108-106) .....	3,555	1,133	0
Interior Appropriations (P.L. 108-108) .....	19,673	13,202	0
Military Construction Appropriations (P.L. 108-132) .....	9,316	12,567	0
Energy and Water Appropriations (P.L. 108-137) .....	27,328	18,143	0
Total, appropriation acts .....	462,536	335,138	0
Continuing Resolution Authority:			
Continuing Resolution, 2004 (P.L. 108-185) .....	300,166	157,548	0
Difference between enacted levels and budget resolution estimates for appropriated entitlements and other mandatory programs .....	358,395	338,102	n.a.
Total Current Level <sup>1,2</sup> .....	1,871,318	1,889,744	1,330,773
Total Budget Resolution .....	1,873,459	1,896,973	1,331,000
Current Level Over Budget Resolution .....	n.a.	n.a.	n.a.
Current Level Under Budget Resolution .....	2,141	7,229	227

<sup>1</sup> Per section 502 of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2004, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the current level excludes the following items: outlays of \$262 million from funds provided in the Emergency Supplemental Appropriations for Disaster Relief Act of 2003 (P.L. 108-69); outlays of \$456 million from funds provided in the Legislative Branch Appropriations Act, 2004 (P.L. 108-83); budget authority of \$400 million and outlays of \$67 million provided in the Interior Appropriations Act, 2004 (P.L. 108-108); and budget authority of \$83,992 million and outlays of \$35,970 million provided in the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (P.L. 108-106).

<sup>2</sup> Excludes administrative expenses of the Social Security Administration, which are off-budget.

Notes:—n.a. = not applicable; P.L. = Public Law; \* = less than \$500,000.

SOURCE: Congressional Budget Office.

### LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

In early May 2003, Jessica Mercado, a Latina transgender woman was found dead in her apartment. According to police reports, Mercado was stabbed twice in the neck in her New Haven, CT apartment which was then set on fire in a possible attempt to cover up the crime.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

### TROUBLING PRE-ELECTION DEVELOPMENTS IN UKRAINE

Mr. CAMPBELL. Mr. President, as co-chairman of the Helsinki Commission and the sponsor of the 2002 Senate-passed resolution urging the Ukrainian Government to ensure a democratic, transparent and fair election process in advance of their parliamentary elections, I find recent developments relating to upcoming presidential elections in Ukraine deeply troubling.

Ten months before these critical elections, a constitutional amendment is making its way through the Ukrainian parliament designed to ensure that the current, corruption riddled powers-that-be retain their grip on power, neutralizing the leader of the biggest democratic fraction in parliament and Ukraine's most popular politician, Victor Yushchenko. The amendment calls for abbreviating the presidential term for the October 2004 elections to 2 years, with the election of a president

by the parliament in 2006, notwithstanding opinion polls indicating that the overwhelming majority of Ukrainians support preserving direct presidential elections. This amendment had been approved by Ukraine's Constitutional Court in a decision which has led many observers both within and outside of Ukraine to question the independence of the court. The court's decision a few weeks ago to allow President Kuchma to run for a third term, despite the 1996 constitution's 2-term limit, has only raised more questions.

Media repression continues, including the issuance of directives sent to media by the presidential administration on what and how issues and events should be covered, especially in the electronic media. A recent Freedom House report concludes that:

The current state of affairs of Ukraine's media raises serious questions as to whether a fair and balanced electoral contest can be held.

Newspapers critical of the authorities are subjected to various methods of repression, including attacks against journalists, arrests of publishers, "special attention" via tax inspections, administrative controls over distribution and pressure on advertisers.

At the same time, administrative measures are being taken to prevent lawful political activity, the most stark example of which was the disruption—instigated by the authorities—of a national congress of the Yushchenko-led Our Ukraine bloc in Donetsk last November. Most recently, a presidential decree dismissed the elected Our Ukraine mayor of Mukachevo, despite a ruling by the Supreme Court which confirmed that he had been elected in a legitimate way. In a telling twist, an acting mayor from the political party led by the head of the presidential administration, Victor Medvedchuk, has been installed.

As co-chairman of the Helsinki Commission, I share the concern of colleagues on both sides of the aisle that the presidential elections in Ukraine scheduled for October be free, fair, open and transparent and conducted in a manner consistent with Ukraine's

freely undertaken commitments as a member of the Organization for Security and Cooperation in Europe—OSCE. The Helsinki Commission, consistent with our mandate to monitor and encourage compliance with OSCE agreements by all participating states, will continue to follow the situation in Ukraine closely.

I ask unanimous consent that the text of a recent Washington Post editorial on troubling pre-election developments in Ukraine be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 12, 2004]

#### A RESOLUTION FOR UKRAINE

According to Secretary of State Colin L. Powell, the Bush administration's first foreign policy resolution for 2004 is "to expand freedom." And not only in Iraq and the Middle East: In an op-ed article published in the New York Times, Mr. Powell promised to support "the consolidation of freedom in many new but often fragile democracies . . . in Latin America, Europe, Asia and Africa." We hope that support will extend beyond the rhetoric that too often has substituted for genuine democratic advocacy during President Bush's first three years—and that it will be applied even where the United States has interests that make toleration of autocracy tempting.

One region where such U.S. engagement, or its absence, might prove decisive is the band of former Soviet republics to the west and south of Russia. Several are struggling democracies; others are ruled by autocrats. Almost all are under threat from Moscow's resurgent imperialism. As the tiny state of Georgia recently demonstrated, democracy is the best defense against Russian President Vladimir Putin's attempts to create a Kremlin-dominated sphere of influence. Countries that have held free and fair elections have tended to gravitate toward strengthening their independence and seeking good relations with the West, while unstable autocrats are more likely to yield to Mr. Putin.

The country closes to a tipping point may be Ukraine. Like Russia, Ukraine has an electoral democracy tainted by corruption and strong-arm tactics and an economy warped by clans of oligarchs. Much of its population, however, aspires to integration with the West. President Leonid Kuchma has been linked to corruption and serious human rights violations. In recent months he has

been moving steadily closer to Mr. Putin, allowing a Russian takeover of much of Ukraine's energy industry and signing an economic integration treaty.

Now Mr. Kuchma appears to be looking for ways to curtail Ukraine's democracy so that he can prolong his own hold on power when his term expires this year. Last month his allies in Parliament pushed through the first draft of a constitutional amendment that would cut short the term of the president due to be elected in October and provide that future presidents be chosen by Parliament—where Mr. Kuchma's forces retain control. Then the judges he appointed to the supreme court ruled that the constitution's two-term limit does not prevent Mr. Kuchma from serving again. The president's cronies protest that they are only moving the country toward a more parliament-centered system, and Mr. Kuchma coyly says he has not "yet" decided to seek another term. But the effect of his moves would be to neutralize the country's most popular leader, Viktor Yushchenko, who, polls say, would win the next presidential election if it were fairly held.

More than Mr. Kuchma's quest for continued power is at stake, Mr. Yushchenko is popular precisely because he is associated with those Ukrainians who seek to consolidate an independent democracy and move the country toward integration with Europe. Mr. Putin surely will be sympathetic to Mr. Kuchma's subversion of the system. The question is whether the Bush administration will work with Western Europe to mount an effective counter. Freedom could be consolidated this year in Ukraine or slip away. The outcome may just depend on how well Mr. Powell keeps his resolution.

#### ADDITIONAL STATEMENTS

##### POEMS FROM RUSTON ELEMENTARY SCHOOL

• Ms. LANDRIEU. Mr. President, each year I try and take advantage of the opportunity to visit some of the high performing schools in my State. This past year, I had the privilege of spending time with the students of Ruston Elementary School in Ruston, LA. I was very impressed by them and their level of achievement. The fifth grade students had just spent the semester studying the U.S. Senate and its role in American democracy. They were eager to learn about our work and the many traditions that make the Senate one of the most deliberative bodies in the world. I asked some of the students if they would mind sharing some of their work with me so that I may bring it back to Washington and enter it into the RECORD. I would like to thank their teacher, Sonja Walker, for all of her good work. In these poems, the children tell us that they are proud to be an American. I, for one, think America should be proud of them.

I ask that the following poems be printed in the RECORD.

The poems follow:

I'M PROUD TO BE AMERICAN POEM  
(By Alhira)

I'm proud to be an American today.  
We have rules here in the USA.  
Rules that we love, rules that we hate.  
I'm proud to be an American in the USA.

We have nice, kind, and sweet in the USA.  
I love to be an American.

FLOWERS

(By Sabrina Bowden)

Some flowers are red,  
Some flowers are blue,  
Some are yellow, green, and purple,  
Like Mardi Gras masks  
Worn on children's smiling faces,  
While others are orange or white.  
But one thing they all have in common  
Are the big green stems  
And leaves that support the petals  
And carry fresh, clean water to the leaves.

BUTTERFLIES

(By Pymir Brown)

They swirl around in my stomach.  
It feels like I'm going dizzy.  
They're playing volleyball.  
Hitting the ball over the net,  
Back and forth  
To each other.  
Don't you just love butterflies?

BUSY

(By Jasmine Calloway)

Busy.  
Busy yesterday,  
Busy today.  
Busy tomorrow,  
Busy everyday.  
Busy and work,  
Must be the same.  
Work today,  
Busy tomorrow.  
If you think about it,  
It's all the same.

REMEMBERING ABE

(By Travis Carter)

America seems so beautiful,  
When I see the flag wave,  
But the most thing I think  
Of is when Abe freed the slaves.  
He brought everyone freedom  
And stopped segregation.  
He let everybody work together  
To form a nation.  
Abe helped us greatly  
Through our troubled days,  
So now we have love  
In all sorts of ways.

LOVE

(By Crystal Harris)

Love,  
Love is something you can't make or take,  
It just comes on a regular basis.  
But sometimes your love could be taken  
away.  
It might be the one you never even cared for,  
your love.  
You just tricked your love.  
Its hard to say goodbye to your love and it  
never comes back.  
Don't just dangle over a haystack, go find  
another love,  
And love him like you never loved any one  
before.  
Love,  
Love,  
Love.

I'M PROUD TO BE AN AMERICAN

(By Jamakia Hatter)

I'm proud to be an American,  
I'm proud to do what I do, aren't you?  
I'm proud to stand for what I stand for,  
Especially when you're number one.  
I'm proud of what I believe,  
I'm proud to be in a country that's free.  
My country tis of thee and its sweet land of  
liberty,  
This is why I'm proud to be an American.  
FEELINGS  
(By Judy Huynh)  
Feelings, hopes, dreams

Treasured so beautifully  
Like a butterfly flying across the meadow.  
Feelings, sorrows, madness  
Swirling so painfully  
Like a tornado.  
Your hopes and dreams sink  
Your heart is so cold and pure of darkness  
Like a vacuum feeding on your sorrows and  
madness.

Feelings, feelings, feelings.

IF I WERE PRESIDENT

(By Kevin Jackson)

If I were President, it would be fun. I could  
do all kinds of things.  
I know I would have to do a lot of work, but  
in my free time, I would do this.  
First, I would go and meet Michael Jackson.  
He is my favorite singer and he would teach  
me how to do the moon walk.  
Next, I would go meet my favorite actor,  
Chris Tucker.  
He was in my favorite movie, Rush Hour 2.  
I would ask him about the movie.  
Last, but not least, I would get my groove on  
by going to China.  
I would do all kinds of things. I would eat  
Chinese Food everyday.  
This is what I would do.

IF I WERE THE SENATOR

(By Randall Loyd)

If I were the Senator,  
I would make a law about recess,  
Or even school.  
I would make a law of pizza.  
There would be free pizza.

AMERICA THE VACUUM CLEANER

(By Ben McFatrige)

Like a giant vacuum  
America  
Sucking all of the evil and terrorists  
Out of the world,  
Until it is clean,  
And rid of terrorists.

FROM CHAOS TO COURAGE

(By Matthew Rich)

We watched them fall,  
With unbelieving eyes.  
We saw it burn,  
With staring eyes.  
We saw the rubble,  
With teary eyes.  
Then we saw the flag,  
With its brilliance,  
Shining through the dust.  
Now we see it  
With courage in our eyes.

PLEASE REMEMBER

(By Samantha Rich)

Remember when time was ours to enjoy.  
Sometimes you wish you could turn around,  
And live it again,  
But you can't.  
So remember,  
Remember what happened.  
How we were there for each other,  
Singing Christmas music,  
Cheering for each other,  
Hoping for each other to win.  
So remember all that happened,  
Back when things were the same,  
And I'll always remember you and smile.  
Though memories last, time goes on.  
Although it is hard,  
We always have to say goodbye.  
So please remember,  
Please remember me.

WHY

(By Shane Rich)

Sometimes I wish I could just ask why, and  
that why would be answered.  
If I had that opportunity this is what I'd ask.  
Why can't we have world peace, where ter-  
rorists didn't exist, and bombs, and  
guns, and wars were unheard of?