

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 2:08 p.m., a message from the House of Representatives, delivered by one of its clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3550. An act to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

ENROLLED BILL SIGNED

At 4:01 p.m., a message from the House of Representatives, delivered by one of its clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3108. An act to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to temporarily replace the 30-year Treasury rate with a rate based on long-term corporate bonds for certain pension plan funding requirements and other provisions, and for other purposes.

The enrolled bill was signed subsequently by the President pro tempore (Mr. STEVENS).

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2290. A bill to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-7036. A communication from the Secretary of Homeland Security, transmitting, pursuant to law, a report of a violation of the Antideficiency Act in the United States Coast Guard; to the Committee on Appropriations.

EC-7038. A communication from the Deputy Associate Administrator, Office of Acquisition policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2001-20" (FAC2001-20) received on April 5, 2003; to the Committee on Armed Services.

EC-7039. A communication from the Assistant Secretary of Defense for Health Affairs, Department of Defense, transmitting, pursuant to law, a report on the quality of health care furnished under the health care programs of the Department; to the Committee on Armed Services.

EC-7040. A communication from the Acting Under Secretary of Defense for Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, the National Defense Stockpile Annual Materials Plan for Fiscal Year 2005; to the Committee on Armed Services.

EC-7041. A communication from the Acting Under Secretary of Defense for Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report relative to the National Defense Stockpile; to the Committee on Armed Services.

EC-7042. A communication from the Board of Trustees, National Railroad Retirement Investment Trust, transmitting, pursuant to law, a report relative to the Trust's operations and financial condition; to the Committee on Finance.

PETITIONS AND MEMORIALS

POM-387. A resolution adopted by the Senate of the Legislature of the State of New Jersey relative to their ratification of the Fourteenth Amendment; to the Committee on the Judiciary.

JOINT RESOLUTION

Whereas, the Fourteenth Amendment to the United States Constitution granted citizenship to, and protected the civil liberties of, freed slaves; and

Whereas, the Fourteenth Amendment also prohibits states from abridging the privileges or immunities of any citizen, depriving any person of life, liberty, or property without due process of law, or denying any person equal protection of laws; and

Whereas, the rights guaranteed by the Fourteenth Amendment are part of the foundation of our free society; and

Whereas, in 1866, the New Jersey Legislature acted to ensure these rights by ratifying the Fourteenth Amendment; and

Whereas, thereafter, the New Jersey Legislature, in 1868, attempted to withdraw its ratification of this amendment by passage of Joint Resolution No. IV; and

Whereas, both the Federal Secretary of State and the Congress refused to recognize the New Jersey's attempt to withdraw ratification and the Fourteenth Amendment became a part of the United States Constitution on July 20, 1868; and

Whereas, the attempt to withdraw New Jersey's ratification of the Fourteenth Amendment is contrary to this State's long tradition of respect for, and protection of, the civil rights of all persons; and

Whereas, even though the attempt to withdraw New Jersey's ratification of the Fourteenth Amendment was without effect, there is, nevertheless, a need to rectify this misguided action; now, therefore, be it

Resolved by the Senate and General Assembly of the State of New Jersey.

1. Joint Resolution No. IV of 1868 which attempted to withdraw New Jersey's ratification of the Fourteenth Amendment is hereby revoked.

2. Duly authenticated copies of this Joint Resolution shall be transmitted to the federal Secretary of State, the presiding officers of the Congress of the United States, and each member of New Jersey's congressional delegation.

3. This Joint Resolution shall take effect immediately.

POM-388. A joint resolution adopted by the Legislature of the State of California relative to disabled military retirees; to the Committee on Armed Services.

ASSEMBLY JOINT RESOLUTION NO. 34

Whereas, a penalty is imposed against disabled military retirees for concurrent re-

ceipt of retirement and disability compensation; and

Whereas, if a member of the armed forces retires with 20 or more years of service to this country, earning retirement compensation, and this same retiree has a major disability resulting from wounds or service connected activities, \$1 from his or her retirement check is deducted for each dollar of disability payment received; and

Whereas, this law requires retired military personnel to do something no one else in America is obligated to do—pay for their own disability; and

Whereas, for many years, veterans' organizations and disabled veterans battled to change this law; and

Whereas, last year, Congress recognized that disabled military retirees had a legitimate complaint and introduced legislation that was designed to correct this policy; and

Whereas, included within the National Defense Authorization Act For Fiscal Year of 2002 is legislation that will end this discriminatory practice of deducting disability compensation from retirement pay. However, the legislation will be effective only if the President requests money to cover its costs in his next budget; and

Whereas, these disabled military retirees fought in World War II, Korea, Vietnam, the Persian Gulf, and a dozen brush fire wars in unremembered countries, risking everything for our country. They gave of their youth and health, only to be retired with a disability that they are forced to pay for out of their own pockets; and

Whereas, the discrimination our country has displayed for its disabled military retirees should not be passed on to those young people who are now fighting our War Against Terrorism; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress and the President of the United States to urge the Congress of the United States to fund the National Defense Authorization Act For Fiscal Year of 2002, to eliminate the penalty imposed against disabled military retirees for concurrent receipt of retirement and disability compensation; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, and to the Speaker of the House of Representatives, the President of the Senate, and each Member in the Congress of the United States.

POM-389. A joint resolution adopted by the Legislature of the State of California relative to military reserve personnel; to the Committee on Armed Services.

ASSEMBLY JOINT RESOLUTION NO. 26

Whereas, the military reserve forces of the United States provide a valuable service to the citizens of the United States; and

Whereas, military reserve personnel make up 60 percent of the total armed forces of the United States; and

Whereas, the reserve forces of the United States military provide for the continuing freedom and pursuit of democracy throughout the world; and

Whereas, the military reserve upholds our values and beliefs in times of peace as well as war; and

Whereas, evidence suggests that members of the military reserve may be discriminated against due to their reserve status when applying for financing; and

Whereas, this discrimination results in members of the military reserve being charged higher interest rates for loans due to their reserve status; and