

EC-8667. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Transfers to Provide for Satisfaction of Contested Liabilities" (RIN1545-BA90) received on July 19, 2004; to the Committee on Finance.

EC-8668. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Application of Section 904 to Income Subject to Separate Limitations" (RIN1545-AX88) received on July 19, 2004; to the Committee on Finance.

EC-8669. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—August 2004" (Rev. Rul. 2004-84) received on July 19, 2004; to the Committee on Finance.

EC-8670. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting, pursuant to law, the report of a rule entitled "Bankruptcy Implications on Golden Parachute Payments" (Rev. Rul. 2004-87) received on July 19, 2004; to the Committee on Finance.

EC-8671. A communication from the Regulations Coordinator, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Participation on Department of Health and Human Services Programs by Religious Organizations; Providing for Equal Treatment of All Department of Health and Human Services Program Participants" (RIN0991-AB34) received on July 19, 2004; to the Committee on Health, Education, Labor, and Pensions.

EC-8672. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the Department's activities during Calendar Year 2003 pursuant to the Equal Credit Opportunity Act; to the Committee on the Judiciary.

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-474. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to income guidelines for senior citizens; to the Committee on Agriculture, Nutrition, and Forestry.

HOUSE CONCURRENT RESOLUTION NO. 5

Whereas, Louisiana's senior citizens, with their wealth of lifetime experiences and knowledge, represent a valuable asset to our state; and

Whereas, according to the latest federal decennial census, 108,634 Louisiana citizens age sixty or older live at or below the federal poverty level; and

Whereas, only 40,754, less than thirty-eight percent, of these low-income senior citizens qualified for participation in the federal food stamp program at the end of February 2004, according to the Louisiana Department of Social Services; and

Whereas, many of these low-income senior citizens subsist on fixed incomes or have supplemental security income (SSI) as their only source of income; and

Whereas, many of these low-income senior citizens find that, even after being allowed certain medical deductions from income, their incomes disqualify them from receiving

assistance through the federal food stamp program or qualify them only for a minimal amount of assistance; and

Whereas, as a result, many of these low-income senior citizens find themselves at the end of the month without enough money to buy food after meeting other monthly expenses; Therefore, be it

Resolved, That the Louisiana Legislature does hereby memorialize the Congress of the United States of America to study and consider revising the income guidelines for senior citizens and reduce them by ten percent so that they may participate in or receive more assistance through the federal food stamp program; be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-475. A concurrent resolution adopted by the Senate of the Legislature of the State of Louisiana relative to eliminating the "new shipper" bonding privilege; to the Committee on Agriculture, Nutrition, and Forestry.

SENATE CONCURRENT RESOLUTION NO. 152

Whereas, antidumping and countervailing duties on imports are implemented to protect domestic fishery, agricultural, and industrial industries from unfairly subsidized imports; and

Whereas, under the present United States antidumping law, a "new shipper" may choose to post low-cost bonds on their imports or the full cash deposit as security for the amount of duties the United States Customs and Border Protection may assess against the imports; and

Whereas, many exporters, especially from China, are claiming "new shipper" status as means of evading the payment of any duties on their imports; and

Whereas, some "new shippers" evade payment of any duties by defaulting or dissolving the company, as shown by the fact that in 2003, the United States Customs and Border Protection failed to collect on \$130 million in import duties, with over \$100 million of such uncollected duties from Chinese imports; and

Whereas, the elimination of the option of posting a bond over a full cash deposit will close the loophole used by "new shippers" to avoid the payment of antidumping and countervailing duties on imports; Therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to enact legislation eliminating the "new shipper" bonding privilege; be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and clerk of the United States House of Representatives, and to each member of the Louisiana congressional delegation.

POM-476. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to emergency supplemental appropriations to strengthen security and increase staffing at United States-Canada border crossings; to the Committee on Appropriations.

SENATE RESOLUTION NO. 118

Whereas, for generations, the friendly, shared border of 4,000 miles between our country and our Canadian neighbors has been a symbol of the blessings of peace. The recent terrorist attacks have, however, shattered our sense of security and prompted a reexamination of how we can better protect ourselves; and

Whereas, a major component of any new strategy must be making a stronger investment of resources and personnel along our northern border, especially at the crossings between the United States and Canada. The free flow of people and materials crossing our northern border every day reflects our close economic and cultural ties with Canada. The hard lessons learned on September 11, 2001, make it clear that greater scrutiny must be applied at entry points. The United States Customs Service processed 489 million passengers in 2000. To monitor this volume of traffic effectively, especially in the era of increased terrorist threats we now face, will require a far greater allocation of staffing, funding, and technology; and

Whereas, there is widespread agreement that the Customs Service and the Immigration and Naturalization Service are seriously understaffed. This seems to be especially true along our Canadian border when compared to efforts along the Mexican frontier. Allocating a significant portion of the emergency appropriations the President has called for is fundamentally important to our national security and the security of our Canadian neighbors: Now, therefore, be it

Resolved by the Senate, That we memorialize Congress and the President of the United States to provide emergency supplemental appropriations to strengthen security and increase staffing at United States-Canadian border crossings; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-477. A concurrent resolution adopted by the Senate of the General Assembly of the state of Ohio relative to retention and expansion of all military bases and centers in Ohio; to the Committee on Armed Services.

SENATE CONCURRENT RESOLUTION NO. 31

Whereas, the United States Department of Defense is required by law to prepare a list of military bases to be closed or realigned for the Base Closure and Realignment Commission by May 16, 2005. The Department has announced that the 2005 round of closures could have an impact as great as the previous four rounds combined, closing nearly 100 bases; and

Whereas, the Commission will submit its list to the President of the United States by September 8, 2005, and, if the President approves the list, he will forward it to the United States Congress by September 23, 2005. The Congress will either vote on the approved list, or it will become effective 45 days after submission; and

Whereas, Ohio's military bases and centers are critical to our national security and impact the present and future capability of our defense force structure nationwide. The state of Ohio has always worked on behalf of a strong national defense and has a long history of outstanding community and state support of Ohio's military bases and centers; and

Whereas, Ohio has 38,000 defense jobs with a more than \$4 billion economic impact on our state and local economies, including Wright Patterson Air Force Base as the largest single-site employer in Ohio. Thus, significant closures or defense job losses during the 2005 base realignment and closure process would have an extremely detrimental effect at both the state and local levels: Now therefore be it

Resolved, That we, the members of the 125th General Assembly of the State of Ohio, express our support for retention and expansion of all military bases and centers in Ohio

and encourage all local governments to support the continued operation of those bases and centers at full capacity; and be it further

Resolved, That we, the members of the 125th General Assembly of the State of Ohio, urge the Governor's All-Ohio Task Force to Save Defense Jobs to work with communities, legislators, local officials, and industry and labor leaders to protect any threatened defense bases and centers and urge local governments and community, industry, and labor leaders to work with the Task Force to enhance the efficiency and effectiveness of Ohio's military bases and centers so that the Department of Defense will fully appreciate the military value of Ohio's defense contributions and exploit those capabilities by moving additional missions to our state, thereby strengthening national defense; and be it further

Resolved, That the Clerk of the Senate transmit copies of this resolution to the President of the United States, to the United States Secretary of Defense, to the Speaker and Clerk of the United States House of Representatives, to the President Pro Tempore and the Secretary of the United States Senate, to the members of the Ohio Congressional delegation, to the Governor of Ohio, and to the news media of Ohio.

POM-478. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of New Hampshire relative to the posthumous promotion of Colonel Edward Ephraim Cross; to the Committee on Armed Services.

HOUSE CONCURRENT RESOLUTION No. 17

Whereas, Colonel Edward Ephraim Cross, a native of Lancaster, New Hampshire, was named a colonel by the governor of New Hampshire in 1861 at the outbreak of the Civil War and was given command of the 5th Regiment, New Hampshire Volunteers; and

Whereas, Colonel Cross valiantly led his regiment through many battles of the Civil War, including the battles of Fair Oaks, Glendale, Antietam, Chancellorsville, Fredericksburg, and Gettysburg, and was wounded several times; and

Whereas, prior to Colonel Cross's untimely death after suffering a wound by a sniper at the Battle of Gettysburg on July 2, 1863, he was informed by his division commander, Major General Winfield Scott Hancock, that he was to be promoted to brigadier general; and

Whereas, a number of Civil War historians and enthusiasts have over the years made requests of New Hampshire's governor and congressional delegation that Colonel Cross be promoted to brigadier general or brevet brigadier general; Now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

That the New Hampshire general court finds that Colonel Cross's record of conduct, performance, and devotion to duty reflect his allegiance to the highest standards of the military profession and that, if not for his untimely death at Gettysburg, Colonel Cross would have received a promotion to brigadier general; and

That the New Hampshire general court urges the governor and the federal government to take the procedural steps necessary to posthumously promote New Hampshire native Colonel Edward Ephraim Cross to the rank of brigadier general; and

That copies of this resolution be sent by the house clerk to the governor, the President of the United States, the Vice President of the United States, the Speaker of the United States House of Representatives, and the members of the New Hampshire Congressional delegation.

POM-479. A joint resolution adopted by the General Assembly of the State of Colorado

relative to Colorado's reservists and national guard members; to the Committee on Armed Services.

HOUSE JOINT RESOLUTION No. 04-1006

Whereas, our volunteer military is one of the best in the world; and

Whereas, a key to the success of this force is its ability to combine active duty troops from the Army, Navy, Air Force, and Marines with the citizen soldiers of the Colorado Reserve and National Guard; and

Whereas, throughout the history of this state Coloradans have contributed commendable service to this country, and currently Colorado is the proud home of active military bases as well as the "Home of Heroes", which has produced 5 Congressional Medal of Honor winners; and

Whereas, the War on Terrorism may go on for many years and may consist of smaller deployments of troops requiring mass support and rapid response; and

Whereas, there is a great reliance on our Colorado Reserve and National Guard units; and

Whereas, currently there are over 3,000 Colorado citizen soldiers who have been called up to fight this War on Terrorism both at home and abroad; and

Whereas, these citizen soldiers are our friends and neighbors; people who live, work, and raise their families here in Colorado; and

Whereas, these citizen soldiers are standing in the gap for us, activated to fill an essential need, protecting us both here at home and abroad from those who wish us harm; and

Whereas, while these citizen soldiers stand in the gap for us in our armed forces, keeping the War on Terrorism away from our homes and families, a gap is created in the families they leave behind; and

Whereas, these Colorado Reservists and members of the Colorado National Guard are often not only spouses, but also parents and frequently the primary breadwinners for their families; and

Whereas, the stress and financial difficulties resulting from the gap created by the volunteer's absence adds to the burdens of an already worried family; and

Whereas, while limited emergency relief funds do exist to help ease these financial burdens, these funds are not enough. It is unacceptable for us to stand by and let the burdens that our Reservists, National Guard members, and their families face continue to mount. It is time for the people of Colorado to take action and stand in the gap here at home for Colorado's fighting men and women; and

Whereas, neighbors helping neighbors is a Western tradition that is still alive and well here in Colorado; and

Whereas, we, the people of Colorado, must do our part to ensure that our fighting forces may take comfort in knowing that the entire state of Colorado is helping to fill the gap occasioned by their absence from their families so that they may focus on protecting us; and

Whereas, our role as citizens in the War on Terrorism is not only to function at a heightened state of vigilance throughout our daily lives in order to help prevent another terrorist attack, but also to ensure that our brave Colorado fighting men and women and their families are supported financially, emotionally, and spiritually; and

Whereas, currently, no Colorado organization exists that allows citizens to help their fellow citizen soldiers who serve either in the Reserves or National Guard lessen these financial burdens; and

Whereas, recently, The Stand in the Gap Project, Inc., was formed as a not-for-profit organization under section 501(c)(3) of the Internal Revenue Code to unite leaders and

citizens in working toward a real, financial, and long-term solution for the burdens carried by military families; and

Whereas, the Stand in the Gap Project, Inc., aims to provide a method by which Colorado citizens can help by contributing their time, treasure, and talent to assist their fellow Coloradans who are standing in the gap through military service; and

Whereas, the Stand in the Gap Project, Inc., hopes to serve as a catalyst and a focal point for other organizations within the state to help effectively and efficiently reduce the stresses experienced by National Guard and Reserve families here in Colorado; Now, therefore, be it

Resolved by the House of Representatives of the Sixty-fourth General Assembly of the State of Colorado, the Senate concurring herein:

(1) That we, the members of the Sixty-fourth General Assembly, support the efforts of The Stand in the Gap Project, Inc., and urge our fellow Coloradans to join us in taking responsibility for our troops and their families who struggle to help protect us.

(2) That we, as Colorado citizen legislators, are committed to doing everything humanly possible to address this problem and that we pledge to stand in the gap for Colorado Reservists, National Guard members, and their families in our own districts and throughout Colorado.

(3) That we encourage our fellow Coloradans to contact The Stand in the Gap Project, Inc., at www.thestandinthegapproject.org to find out how to contribute to this effort, both financially and through the organization of Stand in the Gap events in their own communities.

(4) That we urge all Coloradans to join in this effort and to continue to work to stand in the gap for our citizen soldiers until they all come safely home; be it further

Resolved, That copies of this joint resolution be sent to George W. Bush, President of the United States; Dick Cheney, Vice President of the United States; Donald H. Rumsfeld, Secretary of Defense; J. Dennis Hastert, Speaker of the United States House of Representatives; Ted Stevens, President Pro Tempore of the United States Senate; the members of Colorado's congressional delegation; The Stand in the Gap Project, Inc.; and the local affiliates of the Colorado Reserve and National Guard.

POM-480. A joint resolution adopted by the Legislature of the State of California relative to military airfares; to the Committee on Armed Services.

SENATE JOINT RESOLUTION No. 16

Whereas, many thousands of Californians are serving in the United States military in stations spread throughout the world; and

Whereas, many of these men and women are in grave danger due to their engagement in, or exposure to, combat situations; and

Whereas, military service often requires individuals to be separated from their families on short notice for long periods of time under stressful conditions; and

Whereas, it is the patriotic duty of all Americans to support the men and women of the United States Armed Forces who are defending American interests around the world at great personal sacrifice; Now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California urges all airline companies in the United States to permanently establish, for active duty military personnel, a reduced price airfare equal to, or lower than, the lowest airfare offered for each ticketed flight, and that the airfare be free from time restrictions and fees or penalties for changes; and be it further

Resolved, That the Legislature of the State of California expresses gratitude to the commercial airline companies currently supporting our active duty military personnel through company policies that provide reduced airfares, flexible policies, and the use of frequent flyer award programs; and be it further

Resolved, That the Legislature of the State of California commends those commercial airline companies that support their employees who participate in National Guard and Military Reserve duty and are on leave from those companies for military duty; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President of the United States, to all Members of the Congress of the United States, to the Chair of the Federal Aviation Administration, and to the chief executive officer of every airline company in the United States.

POM-481. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to funding for the dredging of canals around the city of Gibraltar; to the Committee on Commerce, Science, and Transportation.

SENATE RESOLUTION NO. 234

Whereas, the city of Gibraltar in Wayne County is a unique community, with more than five miles of canals bisecting the city and its four islands of residences. These public transportation routes include access to public and private facilities, including boat ramps and marinas. Thousands of people use the canals each year; and

Whereas, with no dredging of the Gibraltar canals since the late 1950s, the use of the canals is today significantly threatened by the buildup of sediment throughout the system. Boating traffic is hampered by the buildup. The task of dealing with the Gibraltar canals is made more complex by the results of testing that has identified contamination in the sediment. This fact will greatly increase the costs of dredging and disposal of the sediment; and

Whereas, the costs of dredging the canals is far beyond the resources available within the community of Gibraltar, and the canals are available to and used by many more people than residents of Gibraltar. This work clearly needs to be completed. The Gibraltar canals are notable components of the Detroit River system, and maintaining the quality of the canals is work that is strongly related to the quality of this vital part of our water transportation network. It is essential that necessary resources be directed to this task: Now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to provide funding for the dredging of canals around the city of Gibraltar; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-482. A concurrent memorial adopted by the House of Representatives of the Legislature of the State of Arizona relative to responsibility for surface transportation policy; to the Committee on Commerce, Science, and Transportation.

HOUSE CONCURRENT MEMORIAL NO. 2003

Whereas, the motoring public in this state pays a federal fuel tax of 18.4 cents per gallon, and Congress has recently considered raising that tax by 5.4 cents per gallon, an increase of nearly one-third, with ongoing increases by indexation thereafter; and

Whereas, for nearly half a century the federal fuel tax has supported the Federal Highway Administration, which was formed in 1956 to build the interstate highway system and which successfully completed that mission by the mid-1980s; and

Whereas, most of the transportation problems that confront travelers today are local or regional, and state and local governments can respond to them more effectively than distant bureaucracies; and

Whereas, a growing share of the federal fuel tax is diverted to purposes other than highways and roads, including urban mass transit, ferry boats, commuter rails, historic renovation, hiking trails, landscaping, covered bridges, scenic byways and Appalachian redevelopment, which benefit narrow yet influential constituencies at the expense of the motoring public; and

Whereas, the federal government often threatens to withhold a state's share of federal highway money in order to force the state to comply with a variety of federal mandates, including clean air and safety standards, law enforcement and union contracts; and

Whereas, the federal management of highway funding results in a subsidy to wealthier states and slower growing states at the expense of less affluent states and fast growing states with greater transportation needs; and

Whereas, "turnback" legislation that would give each state full control of the federal fuel tax revenues collected by that state has been proposed in several past sessions of Congress and has again been introduced as H.R. 3113, the Transportation Empowerment Act.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the Congress of the United States enact legislation that would return to the states full responsibility to formulate and implement their own surface transportation priorities by allowing each state to retain the revenues from the federal tax on fuel that is sold within its borders.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the President of the Senate and the Speaker of the House of Representatives of each state's legislature and each Member of Congress from the State of Arizona.

POM-483. A resolution adopted by the Senate of the Legislature of the State of Illinois relative to the cost of motor fuel; to the Committee on Energy and Natural Resources.

SENATE RESOLUTION NO. 102

Whereas, the price of gasoline has reached an average \$1.70 per gallon nationwide; and

Whereas, the price of gasoline continues to climb, to the extent that some experts have predicted prices of \$2.50 per gallon in the near future: Therefore, be it

Resolved, by the Senate of the Ninety-Third General Assembly of the State of Illinois, That we call upon the United States Congress to investigate and determine why the cost of motor fuel is so high and climbing; and be it further

Resolved, That suitable copies of this resolution be delivered to the President pro tempore of the U.S. Senate, the Speaker of the U.S. House of Representatives, and each member of the Illinois congressional delegation.

POM-484. A resolution adopted by the Council of the City of Parma of the State of

Ohio relative to the No Oil Producing and Exporting Cartels Act of 2004 (NOPEC); to the Committee on Energy and Natural Resources.

POM-485. A concurrent memorial adopted by the House of Representatives of the Legislature of the State of Arizona relative to Luke Air Force Base and Yuma Army Proving Ground; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT MEMORIAL NO. 2011

Whereas, the State of Arizona, its local governments and its people recognize the vital role Arizona's Barry M. Goldwater Range and other military facilities play in ensuring our military's unparalleled training, combat readiness and air superiority in protecting American freedom; and

Whereas, Luke Air Force Base has operated continuously since 1951 as a top rate pilot training facility, plays a vital role in our nation's military superiority, is the home of the largest fighter wing in the United States Air Force, trains all F-16 pilots and crew chiefs for the United States Air Force and is strategically located within fifty miles of the Barry M. Goldwater Range; and

Whereas, in 1951 Luke Air Force Base and its related auxiliary fields was located in an unurbanized, agricultural portion of the Phoenix metropolitan area, but is now within one of the fastest growing counties and municipal areas in the Nation and State of Arizona, which has exacerbated the challenges caused by urbanization in the Phoenix metropolitan area; and

Whereas, the preservation of Luke Air Force Base is an issue of national, state and local concern; and

Whereas, the State of Arizona, local communities and landowners surrounding Luke Air Force Base and its related auxiliary fields have made substantial strides in preserving the mission of Luke Air Force Base and those efforts have been held as a model around the Nation for military facilities preservation; and

Whereas, the preservation efforts have placed a considerably disproportionate burden on the surrounding landowners of protecting a vital national defense asset; and

Whereas, despite the efforts Luke Air Force Base and its related auxiliary fields continue to face the increasing challenges caused by considerable growth; and

Whereas, additional land use restrictions surrounding Luke Air Force Base and its related auxiliary fields are impractical to implement without imposing an even greater and disproportionate burden on the landowners, many of whom's families have owned and farmed the surrounding lands before the presence of Luke Air Force Base; and

Whereas, the federal government has extraordinary landholdings in Arizona and the best long-term public policy solution for the preservation of Luke Air Force Base and its related auxiliary fields is a voluntary land exchange between the United States Bureau of Land Management and the owners of the vacant land and farm land within the high noise or accident potential zones surrounding Luke Air Force Base and its related auxiliary fields; and

Whereas, the United States Army Yuma Proving Ground was established in 1942 and has continuously operated as a multipurpose training and testing facility able to test nearly every weapon system in the ground combat arsenal; and

Whereas, at one thousand three hundred square miles, Yuma Army Proving Ground has the size to allow Army weapon systems to fully exercise their capabilities, and to continue testing advanced systems capable of reaching greater distances requiring a

larger footprint without endangering the public; and

Whereas, Yuma Army Proving Ground is a national and international testing site for innovations in security, surveillance and weaponry systems; and

Whereas, Yuma Army Proving Ground is the United States Army's center for desert natural environment testing and its climate, terrain and excellent range facilities make almost perfect testing and training conditions; and

Whereas, in the last ten years, Yuma Army Proving Ground has become a key location for training operations for all services because of the similarity of its terrain and climate to the Middle East; and

Whereas, the mission of Yuma Army Proving Ground is an issue of national, state and local concern; and

Whereas, there remains within the boundaries of the Yuma Army Proving Ground testing and training ranges many parcels of property owned by both private land owners and the State of Arizona; and

Whereas, these privately and publicly owned lands within the boundaries of the Yuma Army Proving Ground testing and training ranges are a safety concern and compromise the overall mission and safety of the base; and

Whereas, the federal government has vast land holdings in the vicinity of Yuma Army Proving Ground and the best long term policy solution for the preservation of the Yuma Army Proving Grounds is a voluntary exchange of land between the United States Bureau of Land Management and the owners of private property, and between the Bureau of Land Management and the State of Arizona for the property that is located within the boundaries of the testing and training ranges; and

Whereas, such land exchanges would otherwise compromise the overall safety establish protections needed to eliminate the challenges caused by growth, pressures.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the United States Congress, through statutory authority, authorize the United States Bureau of Land Management to prepare and execute a land trade of equitable value between the United States and the landowners of vacant land and farm land within the high noise or accident potential zones of Luke Air Force Base and its related auxiliary fields.

2. That the United States Congress, through statutory authority, authorize the United States Bureau of Land Management to prepare and execute a land trade between the United States and the private property owners and between the United States and the State of Arizona for land outside the boundaries of the Yuma Army Proving Ground testing and training ranges.

3. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-486. A resolution adopted by the California State Lands Commission relative to the federal moratorium on oil and gas leasing off the California Coast; to the Committee on Energy and Natural Resources.

POM-487. A resolution adopted by the California State Lands Commission relative to the Commission on Ocean Policy and the Pew Oceans Commission report; to the Committee on Energy and Natural Resources.

POM-488. A concurrent resolution adopted by the Legislature of the House Representatives of the Legislature of the State of Lou-

isiana relative to water-related environmental infrastructure and resource development and protection projects in Louisiana; to the Committee on Environment and Public Works.

HOUSE CONCURRENT RESOLUTION No. 61

Whereas, during Fiscal Year 2000, the United States Congress appropriated the sum of twenty-five million dollars through Section 592 of the Water Resources Development Act for the establishment of water-related environmental infrastructure and resource protection and development projects in the state of Mississippi; and

Whereas, it has been indicated that congress is now considering the allocation of additional Section 592 funds to the state of Mississippi; and

Whereas, the state of Louisiana is experiencing water-related environmental problems, such as the depletion of portions of the Sparta and Chicot Aquifers and the contamination of available water supplies by effluent from wastewater treatment plants; and

Whereas, the public interest is served by utilizing federal funds to establish programs in the state of Louisiana to provide water-related environmental infrastructure and resource development and protection projects, including but not limited to wastewater treatment and related facilities, elimination or control of combined sewer overflows, water supply and related facilities, environmental restoration, and surface water resource protection and development: Therefore, be it

Resolved, That the Louisiana Legislature does hereby memorialize the United States Congress to appropriate funds for design and construction assistance for water-related environmental infrastructure and resource development and protection projects in Louisiana; be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-489. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to Mississippi River Gulf Outlet; to the Committee on Environment and Public Works.

HOUSE CONCURRENT RESOLUTION No. 68

Whereas, the Mississippi River Gulf Outlet (MRGO), a seventy-mile long manmade navigation channel which connects the Gulf of Mexico to the Port of New Orleans was authorized by the United States Congress in 1956 to be six hundred fifty feet wide at the surface, five hundred feet at the bottom, and to have a guaranteed channel depth of thirty-six feet; and

Whereas, initial expectations were that the channel would create a regional economic boom in the short term due to construction jobs, but also in the long term due to the industrial development associated with the commerce that would come to the area through the shipping concerns; and

Whereas, the impact of the MRGO on the surrounding parishes has been more loss than boom—loss of nearly three thousand five hundred acres of fresh and intermediate marsh, loss of over ten thousand acres of brackish marsh, loss of over four thousand acres of saline marsh, loss of nearly fifteen hundred acres of cypress swamps and forest; and

Whereas, although the channel was authorized for only six hundred fifty feet across and thirty-six feet deep, today the channel is more than twenty-two hundred feet across, and the United States Army Corps of Engineers has routinely dredged the channel to

over forty feet deep to accommodate bigger ships than were authorized by the United States Congress at an average cost of more than twenty-two million dollars; and

Whereas, the loss of marsh and land has put the surrounding area at much greater risk for more frequent and more drastic tidal surges and more prolonged flooding as a result of tropical storms and hurricanes, with the severity getting worse as there is greater and greater loss; and

Whereas, the loss of marsh habitat has altered the ecosystem throughout the basin resulting in the loss of habitat for more than six hundred fifty thousand fur-bearing animals and similar losses to waterfowl, a movement from a dominant white shrimp fishery toward a dominant brown shrimp fishery, and the movement of oyster production farther and farther inland with the movement inland of the saltwater line, all of which alters the economic foundation for the region; and

Whereas, in addition to the alterations caused in the fishery and wildlife dependent enterprises, there are impacts on the everyday lives of the people who live in the area—impacts which are being felt by a significantly larger population that must live with the threat of storm-driven flood surge, which will cause death and destroy personal property, both land and homes, and their communities through the loss of schools, libraries, public facilities including water purification plants and sewerage treatment plants; and

Whereas, also in danger of destruction due to the loss of land caused by the MRGO are major oil refineries and miles of pipelines, a sugar refinery, gas condensate recovery plants, and manufacturing plants which together can be valued in excess of three hundred billion dollars with a work force of nearly fifty thousand people at a time when the state is desperately seeking economic development opportunities; and

Whereas, as long ago as the 1960s it was becoming apparent that the anticipated economic benefits were not likely to materialize, and St. Bernard Parish officials began to call attention to the environmental impacts and damages to the point where by the 1980s the MRGO began to be termed an "environmental nightmare"; and

Whereas, in 1993 the Lake Pontchartrain Basin Foundation first called for the closure of the MRGO because of its environmental impact throughout the Pontchartrain Basin, and this was followed in 1998 by the "Coast 2050 Plan", adopted by the Department of Natural Resources, including its recommendation for closure of the MRGO; and

Whereas, in 1999, a MRGO task force convened by the Environmental Protection Agency at the request of Congressman Tauzin also recommended closure of the channel; and

Whereas, the Congress of the United States has authorized the construction of a new lock on the Inner Harbor Navigation Canal which will serve to provide access to ocean going vessels which are now using the MRGO; and

Whereas, the Congress of the United States has failed to provide full funding capability for the lock project and thereby delayed its completion: Therefore be it

Resolved by the Legislature of Louisiana, That the United States Congress and the Louisiana Congressional Delegation are hereby memorialized to authorize the full funding capability of the United States Army Corps of Engineers for the Inner Harbor Navigation Canal lock project; be it further

Resolved by the Legislature of Louisiana, That the time for study and recommendation has passed and that the United States Congress, the Louisiana Congressional Delegation, and the United States Army Corps of

Engineers are hereby memorialized to promptly close the Mississippi River Gulf Outlet in the manner contemplated by the Coast 2050 Plan; be it further

Resolved, That a copy of this Resolution be forwarded to the United States Congress, the Louisiana Congressional Delegation, and the United States Army Corps of Engineers.

POM-490. A concurrent resolution adopted by the Senate of the Legislature of the State of Louisiana relative to a hurricane evacuation route in Louisiana Mississippi; to the Committee on Environment and Public Works.

SENATE CONCURRENT RESOLUTION NO. 20

Whereas, every hurricane season raises the prospect and threat of a hurricane hitting southeastern Louisiana from such a direction as to wreak enormous flooding, loss of life, and other devastation; and

Whereas, Louisiana's hurricane evacuation routes are growing increasingly vulnerable to coastal storm surge and flooding, and measures need to be taken as soon as possible to ensure the safe navigation of the residents inland; and

Whereas, due to the large population in the southern part of Louisiana and vulnerability to the destruction of property and businesses due to hurricanes and tropical storms, the development of a hurricane evacuation route is necessary for the protection and safe evacuation of the residents of south Louisiana; and

Whereas, the proposed evacuation route would offer a four-lane route from New Orleans, Louisiana along Highway 25 to the Mississippi state line, and continue along Mississippi Highway 27 to Crystal Springs, Mississippi to intersect with Interstate 55; and

Whereas, additionally, the proposed evacuation route should include a four-lane route from Paris Road, which is also known as Louisiana Highway 47, and connect in New Orleans into the proposed four-lane evacuation route from New Orleans, Louisiana to the Mississippi state line; and

Whereas, since Highway 25 and Highway 47 are already designated as evacuation routes, each of the proposed four-lanes would become a critical element to move thousands of people from New Orleans and the North Shore to safe areas northward; therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to appropriate and expedite funding for the development of a hurricane evacuation route in Louisiana and Mississippi; be it further

Resolved, That a copy of this Resolution be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-491. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to ownership of mineral rights and surface rights on state and federal lands in Michigan; to the Committee on Environment and Public Works.

SENATE RESOLUTION NO. 171

Whereas, State-owned land in Michigan amounts to approximately 12 percent of the acreage, and the federal government manages another 8 percent of Michigan's surface area. This large percentage of state and federal land ownership is especially significant in the situations in which ownership of mineral rights is not consistent with the ownership of the surface rights; and

Whereas, the degree to which the rights to minerals do not align with rights to the surface of the land is cause for considerable liti-

gation and frustration in Michigan. This frustration is felt by citizen groups, energy companies, local units of government, and all consumers of gas and oil; and

Whereas, the state of Michigan has jurisdiction over both mineral and surface rights on 3.8 million acres of land and mineral rights alone on another 2.1 million acres. Maps showing ownership of property in Michigan reflect a crazy quilt of ownership. The common situation of surface land ownership differing from ownership of the mineral rights below presents many problems to our state. This nonalignment of ownership makes it difficult to protect land from development and difficult to develop to extract the energy that our society needs. Instead, expensive and minimally productive litigation can be the result; and

Whereas, it would be far more productive for the state and federal governments to work together to do all possible to minimize conflicts in ownership between surface rights and mineral rights: now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States, the Department of Interior, the Bureau of Land Management, the National Forest Service, and the Department of Energy to work with Michigan officials to exchange property to align the ownership of mineral rights and surface rights on state and federal lands in Michigan and to express our intent to take actions to achieve this goal; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, the Bureau of Land Management, the Department of Interior, the National Forest Service, and the Department of Energy.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Ms. COLLINS for the Committee on Governmental Affairs.

*Neil McPhie, of Virginia, to be Chairman of the Merit Systems Protection Board.

*Barbara J. Sapin, of Maryland, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2007.

By Mr. ROBERTS for the Select Committee on Intelligence.

*Larry C. Kindsvater, of Virginia, to be Deputy Director of Central Intelligence for Community Management.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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. LIEBERMAN (for himself, Ms. COLLINS, Mr. AKAKA, and Mrs. CLINTON):

S. 2701. A bill to provide incentives for the sharing of homeland security information, promote the development of an information sharing network, provide grants and other support to achieve communications interoperability, and establish an Office of Infor-

mation Sharing, and for other purposes; to the Committee on Governmental Affairs.

By Mr. CHAMBLISS (for himself, Mr. INHOFE, Mr. ALLEN, and Mr. LOTT):

S. 2702. A bill to amend the Federal Election Campaign Act of 1971 to repeal the requirement that persons making disbursements for electioneering communications file reports on such disbursements with the Federal Election Commission and the prohibition against the making of disbursements for electioneering communications by corporations and labor organizations, and for other purposes; to the Committee on Rules and Administration.

By Mrs. HUTCHISON:

S. 2703. A bill to provide for the correction of a certain John H. Chafee Coastal Barrier Resources System map; to the Committee on Environment and Public Works.

By Mr. GRAHAM of Florida:

S. 2704. A bill to amend title XIX and XXI of the Social Security Act to provide States with the option to cover certain legal immigrants under the medicaid and State children's health insurance programs; read the first time.

By Mr. BIDEN (for himself and Mr. DEWINE):

S. 2705. A bill to provide assistance to Sudan, and for other purposes; to the Committee on Foreign Relations.

By Mrs. CLINTON (for herself, Ms. SNOWE, and Mr. DASCHLE):

S. 2706. A bill to establish kinship navigator programs, to establish kinship guardianship assistance payments for children, and for other purposes; to the Committee on Finance.

By Mr. LOTT:

S. 2707. A bill to amend title XVIII of the Social Security Act to recognize the services of respiratory therapists under the plan of care for home health services; to the Committee on Finance.

By Mr. LIEBERMAN:

S. 2708. A bill to develop the National Strategy for Homeland Security, and for other purposes; to the Committee on Governmental Affairs.

By Mr. SMITH:

S. 2709. A bill to provide for the reforestation of appropriate forest cover on forest land derived from the public domain, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GREGG (for himself, Mr. SESSIONS, and Mr. FRIST):

S. 2710. A bill to amend the Public Health Service Act to improve the quality and efficiency of health care delivery through improvements in health care information technology, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. NELSON of Florida:

S. 2711. A bill to establish a National Windstorm Impact Reduction Program; to the Committee on Commerce, Science, and Transportation.

By Mr. REED (for himself, Mr. SARBANES, Mr. BOND, Ms. MIKULSKI, and Mr. SHELBY):

S. 2712. A bill to preserve the ability of the Federal Housing Administration to insure mortgages under sections 238 and 519 of the National Housing Act; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DOMENICI (for himself and Mr. KENNEDY):

S. 2713. A bill to amend the Public Health Service Act to revise the amount of minimum allotments under the Projects for Assistance in Transition from Homelessness program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DASCHLE:

S. 2714. A bill to amend part D of title XVIII of the Social Security Act, as added by