of a rule entitled “Approval and Promulga-
tion of Air Quality Implementation Plans; Ken-
sucky; Revised Format for Materials Being Incorporated by Reference (FRL # 6363–3), received May 24, 1999; to the Com-
mmittee on Environment and Public Works.

EC–3289. A communication from the Direc-
tor, Office of Regulatory Management and In-
formation, Office of Policy, Planning and Eval-
uation, Environmental Protection Agen-
cy, transmitting, pursuant to law, the report of a rule entitled “Approval and Promul-
gation of Implementation Plans; Wisconsin (FRL # 6363–8)," received May 24, 1999; to the Com-
mmittee on Environment and Public Works.

EC–3290. A communication from the Direc-
tor, Office of Regulatory Management and In-
formation, Office of Policy, Planning and Eval-
uation, Environmental Protection Agen-
cy, transmitting, pursuant to law, the report of a rule entitled “Finding of Failure to Sub-
mit Required State Implementation Plans for Nonattainment Area (FRL # 6349–3),” re-
cieved May 24, 1999; to the Committee on En-
vironment and Public Works.

PETITIONS AND MEMORIALS

The following petitions and memo-
rials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–134. A concurrent resolution adopted by the Legislature of the State of Arizona relative to Medicare reimbursement rates; to the Committee on Finance.

SENATE CONCURRENT MEMORIAL 1001

Whereas, access to affordable health care services has been greatly reduced for Medi-
care health maintenance organization recipi-
ents in thirty states due to cutbacks in services has been greatly reduced for Medi-
care reimbursement by the federal govern-
ment; and

Whereas, because of recent changes by the federal government, the Medicare reimburse-
ment rates in rural areas are lower than those in urban areas. This results in HMOs reimbursing physicians at the lower rates, which in turn causes the physician networks to disintegrate and many HMOs to stop of-
fering service in those areas; and

Whereas, although health insurance will remain available to seniors in rural areas through traditional Medicare coverage, the cutbacks will significantly restrict their op-
tions for health care coverage, the number of services covered and the affordability of those services in general; and

Whereas, two major HMOs have withdrawn service altogether in six rural Arizona coun-
ties, leaving thousands of elderly in-
dividuals with only one or two HMOs from which to choose; and

Whereas, individuals who previously were covered under HMOs received greater bene-
fits not covered by Medicare, including addi-
tional services and lower copayments that offered seniors thorough and comprehensive services at lower rates. Most of these individuals will many be left with the more expensive Medicare system as their primary health in-
surance option, low-income and disabled sen-
iors may be forced to pay more out-of-pocket for services that many or may forego receiving these services because they are unable to afford the higher payments; and

Whereas, the financial and health problems that many rural seniors around the country are likely to face as a result of the Medicare reimbursement cuts are directly attributable to the Medicare reimbursement rates differ-
cential between rural and urban areas.

WHEREFORE your memorialist, the Senate of the State of Arizona, respectfully prays:

1. That the Congress of the United States take steps to address the problem of the Medicare reimbursement rates differential between urban and rural areas and attempt to establish a reimbursement system that will result in more equitable health care cov-
ervation for seniors in rural areas of the coun-
try.

2. That the Secretary of State of the State of Arizona transmit a copy of this Memorial to the Speaker of the United States House of Representatives and to each Member of Con-
gress from the State of Arizona.

POM–135. A concurrent resolution adopted by the Legislature of the State of Arizona relative to the 2000 census; to the Committee on Governmental Affairs.

HOUSE CONCURRENT MEMORIAL 2003

Whereas, the Constitution of the United States requires an enumeration of the popu-
lation every ten years and entrusts the Con-
gress with overseeing all aspects of each dec-
cennial census, and

Whereas, the sole constitutional purpose of the decennial census is to apportion the seats in Congress among the several states; and

Whereas, an accurate and legal decennial census is necessary to properly apportion the United States House seats among the fifty states and to create legislative districts within the states; and

Whereas, an accurate and legal decennial census is necessary to enable states to com-
ply with the constitutional mandate of drawing state legislative districts within the states; and

Whereas, to ensure an accurate count and to minimize the potential for political ma-
nipulation, article 1, section 2 of the United States Constitution mandates an “actual enumeration” of the population, which re-
quires a physical head count of the popu-
lation and prohibits statistical guessing or estimates of the population; and

Whereas, consistent with this constitu-
tional mandate, title 13, section 195 of the United States Code expressly prohibits the use of statistical sampling to enumerate the United States population for the purpose of reapportioning the United States House; and

Whereas, legislative redistricting that is conducted by the states is a critical subfunc-
tion of the constitutional requirement to ap-
portion representatives among the states; and

Whereas, in Department of Commerce, et al. v. United States Representatives, et al., No. 98–494, and in Clinton, President of the United States, et al. v. Glavin, et al., No. 98–564, the United States Supreme Court ruled on January 25, 1999 that the Census Act pro-
hibits the Census Bureau’s proposed uses of statistical sampling in calculating the popu-
lation for purposes of reapportionment and apportionment; and

Whereas, in reaching its findings, the United States Supreme Court found that the use of statistical procedures to adjust census numbers would create a dilution of voting power for citizens in states that are re-
districting, thus violating the legal guarantees of “one person, one vote”; and

Whereas, consistent with this ruling and the constitutional and legal relationship between legislative redistricting by the states and the apportionment of the United States House, the use of adjusted census data would raise serious questions of vote dilution and would violate “one person, one vote”; legal protections, and would expose the State of Arizona to protracted litigation over legisla-
tive redistricting plans at great cost to the taxpayers of this state and would likely re-
sult in a court ruling that invalidates any legislative redistricting plan that uses cen-
sus numbers that have been determined in whole or in part by the use of random sam-
ping techniques or other statistical meth-
odologies that add or subtract persons to or from the census counts based solely on sta-
tistical inference; and

WHEREAS, consistent with these principles, no citizens enumerated in the census should ever be deleted from the census enumera-
tion; and

WHEREAS, consistent with this ruling, every reasonable and practical possibility of state legislative redistricting that have been de-
termined in whole or in part by the use of random sampling techniques of other statis-
tical methodologies that add or subtract persons to the census counts based solely on statistical inference.

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

1. That the United States Bureau of the Census conduct the 2000 census consistent with the United States Supreme Court’s rul-
ing and establish constitutional and legal mandates, which require a physical head count of the population and bar the use of statistical sampling to create or in any way adjust the count.

2. That Public Law 94–171 data not be used for state legislative redistricting if it is based on census numbers that have been de-
termined in whole or in part by the use of statistical inferences derived by means of random sampling techniques or other statis-
tical methodologies that add or subtract per-
sons to or from the census counts.

3. That it receive Public Law 94–171 data for legislative redistricting that is identical to the census tabulation data used to apportion the seats in the United States House consistent with the United States Supreme Court ruling and constitu-
tional mandates that require a physical head count of the population and bar the use of statistical sampling to create or in any way adjust the count.

WHEREAS, the Congress of the United States, as the branch of government assigned with the responsibility of overseeing the decen-
cennial census, take any steps necessary to en-
sure that the 2000 census is conducted fairly and legally.

5. That the Secretary of the State of Ari-
izona transmit a copy of this Memorial to the Speaker of the United States House of Representatives, the President of the United States Senate, the Director of the United States Census Bureau.
Resolved by the Legislature of the State of Arizona.  

1. That the policy of the State of Arizona, its governor and the legislature is to preserve and protect our way of life, our heritage and our resources; and,  

2. That the endangered species act must be modified to: (a) Recognize, protect and conserve human interests at the same time and on the same priority level as environmental interests. (b) Provide for a more flexible and accommodating administration and enforcement system; (c) Require thorough and independent scientific analysis and research, so that the United States fish and wildlife service and other federal agencies work with, rather than impose on, the people of this state. (c) Allow the courts flexibility to issue rulings that protect human interests as well as environmental interests.  

3. That the Secretary of State transmit copies of this Resolution to the President of the United States, the Secretary of the Interior, the President of the United States Senate, the Speaker of the United States House of Representatives and each member of the Arizona Congressional delegation.

POM–137. A concurrent resolution adopted by the Legislature of the State of West Virginia relative to the Appalachian Development Highway System.

Whereas, the construction of the Coalfields Expressway in Southern West Virginia is due to begin; and  

Whereas, The Coalfields Expressway needs approximately 1.5 billion dollars for completion; and  

Whereas, Motorists in West Virginia pay into the Highway Trust Fund at the rate of 18.4 cents tax for each gallon of gasoline purchased and 24.4 cents tax on each gallon of diesel fuel purchased; and  

Whereas, The Appalachian Development Highway system was conceived by the United States Congress with the intention of aiding the economy of the entire Appalachian Region and is now funded directly through the Highway Trust Fund; and  

Whereas, Appalachian Development Highway System has concluded that upon completion, this system would provide 42,000 new jobs, 84,000 new residents, 2.9 billion dollars in new wages and 6.9 billion dollars in value-added business in the region served by the system; and  

Whereas, The Coalfields Expressway, when completed, would traverse the counties of Raleigh, Wyoming and McDowell, and would greatly benefit these counties in the form of increased employment opportunities and economic growth; and  

Whereas, Two of these three counties, Wyoming and McDowell, consistently place near the top of state and national unemployment lists; and  

Whereas, The Coalfields Expressway is not a part of the Appalachian Development Highway System; and  

Whereas, The funding received by the Coalfields Expressway has thus far consisted of a single appropriation of 50 million dollars in 1991 and a single appropriation of $22.7 million dollars in 1998; and  

Whereas, Incorporation of the Coalfields Expressway into the Appalachian Development Highway System would allow for additional funding to complete the Coalfields Expressway from the Highway Trust Fund; therefore, be it

Resolved by the Legislature of West Virginia:  

1. That the policy of the State of West Virginia, its governor and the legislature is to preserve and protect our way of life, our heritage and our resources; and,  

2. That the members of the West Virginia delegation to the United States Congress are hereby requested to make all possible efforts to support and assist the incorporation of the Coalfields Expressway into the Appalachian Development Highway System; and,  

Further Resolved, That the Clerk of the House of Delegates is hereby directed to forward a copy of this resolution to all members of the West Virginia delegation to the United States Congress, to the Clerk of the United States House of Representatives, to the Clerk of the United States Senate and to the Executive Director of the Coalfields Expressway.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STEVENS, from the Committee on Appropriations: Special Report entitled “Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2000” (Rept. No. 106–52).

By Mr. STEVENS, from the Committee on Appropriations, without amendment:

S. 1122: A original bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes (Rept. No. 106–53).

By Mr. STEVENS, from the Committee on Appropriations, with amendments and an amendment to the title:

H.R. 1864: A bill making emergency supplemental appropriations for military operations, refugee relief, and humanitarian assistance relating to the conflict in Kosovo, and for military operations in Southwest Asia for the fiscal year ending September 30, 1999, and for other purposes.

EXECUTIVE REPORTS OF A COMMITTEE

The following executive reports of a committee were submitted:

By Mr. WARNER, for the Committee on Armed Services:

H. R. 1122: A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes (Rept. No. 106–53).

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:  

Maj. Gen. Paul V. Hester, 2071

The following named officer for appointment in the United States Air Force to the