LOTT, Mr. MCCONNELL, Mr. MILLER, Ms. MURKOWSKI, Mr. NELSON of Nebraska, Mr. NICKLES, Mr. REID, Mr. ROBERTS, Mr. SANTORUM, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Mr. SPECTER, Mr. STEVENS, Mr. SUNUNU, Mr. TALENT, and Mr. THOMAS):

S. 659. A bill to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages resulting from the misuse of their products by others; to the Committee on the Judiciary.

Mr. BAUCUS. Mr. President, I rise to urge my colleagues to support the Protection of Lawful Commerce in Arms Act that I and my good friend from Idaho, Senator CRAIG, have introduced yesterday. This bill already enjoys strong bi-partisan support—Senator CRAIG and I are joined by over 50 other co-sponsors, both Democrat and Republican.

This bill will correct a significant injustice that threatens the viability of a lawful United States industry, the firearms industry. An increasing number of lawsuits are being filed against the firearms industry seeking damages for wrongs committed by third persons who misuse the industry's products. These lawsuits seek to impose liability on lawful businesses for the actions of people over whom the firearms industry has no control.

This is just outrageous. Businesses that comply with all applicable Federal and State laws, that produce a product fit for its intended lawful purpose—be it elk hunting, duck hunting, target shooting or for personal protection—should not be subject to frivolous lawsuits that have only one goal—to put them out of business. This an unacceptable burden on lawful interstate commerce.

That's why Senator CRAIG and I have introduced the Protection of Lawful Commerce in Arms Act. The bill is carefully tailored to bar actions against firearms manufacturers or dealers that are based solely on the criminal or unlawful misuse of firearms by third parties. The bill would not block legitimate actions against the firearms industry for cases involving defective firearms, breaches of contract, criminal behavior by a firearm manufacturer or seller, or the negligent entrustment of a firearm to an irresponsible person.

This is only fair and right. The U.S. firearms industry serves America's gun owners and sportsmen well, and provides good-paying jobs for many Americans. They shouldn't be penalized just for legally producing or selling a product that functions as designed and intended.

I would ask all of my colleagues to support this important piece of legislation. It is very important that we take up and pass this bill as soon as possible.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. BOXER (for herself, Mr. REID, and Mr. BAUCUS):

S. 670. A bill to designate the United States courthouse located at 95 Seventh Street in San Francisco, California, as the ''James R. Browning United States Courthouse''; to the Committee on Environment and Public Works.

Mrs. BOXER. Mr. President, I am reintroducing legislation today to name the courthouse at 95 Seventh Street in San Francisco, California, as the ''James R. Browning United States Courthouse.''

Judge Browning was appointed to the court by President Kennedy and has spent 40 years as a circuit judge on the Court of Appeals for the Ninth Circuit. For twelve of those years, he served as Chief Judge. As chief judge, Judge Browning reorganized and modernized the administration of the Ninth Circuit. Now, he is on Senior Status.

He is originally from Montana and graduated from Montana State University in 1938 and from Montana University Law School in 1941, achieving the highest scholastic record in his class and serving as editor-in-chief of the law review. Before being appointed to the Court, Judge Browning served in the U.S. Army and worked for Department of Justice and in private practice.

I can think of no more appropriate honor for Judge Browning than to place his name on the courthouse building where he has worked for 40 years.

By Mr. ENSIGN:

S. 672. A bill to require a 50 hour workweek for Federal prison inmates and to establish a grant program for mandatory drug testing, and for other purposes; to the Committee on the Judiciary.

Mr. ENSIGN. Mr. President, I rise today to introduce the Mandatory Prisoner Work and Drug Testing Act of 2003. This legislation is the continuation of work I did while in the House of Representatives to rein in the undeserved privileges that are currently given to Federal prisoners.

Today's criminal justice system is failing, partly because of what happens, or more specifically, doesn't happen, once convicted criminals arrive in prison. What prisoners are doing is watching cable television, getting high on drugs, lifting weights, and learning to be better criminals. What they are not doing is working and paying back their victims. That's not justice.

The purpose of the Mandatory Prisoner Work and Drug Testing Act is to help establish a Federal prison system that provides discipline and rehabilitation for our Nation's prisoners and requires that they make restitution to their victims.

First, this legislation requires that all Federal prison inmates have a 50-hour work week. Job training, educational and life skills preparation study will also be mandated under this provision. Current federal law does not mandate a minimum work week for the 100,000 inmates in the Federal prison system. Sadly, the average workday for a prisoner in the United States is 6.8 hours. This is absolutely unacceptable. American taxpayers should not have to work full-time to provide rest and relaxation for our nation's prisoners.

Federal prisoners would be paid for the work they do, but their pay would be divided and dispersed in the following manner: 25 percent would offset the cost of prisoner incarceration, 25 percent would go to victim restitution, 25 percent would be made available to the inmate for necessary costs of incarceration, 10 percent would be placed in a non-interest bearing account to be paid to the inmate upon release, and the remaining 15 percent would go to states and local jurisdictions that operate correctional facilities which have similar programs.

Second, this legislation requires the Bureau of Prisons to establish a zero-tolerance policy for the use or possession of illegal contraband. A drug-free environment is essential to any hopes of rehabilitation for our federal prison inmates. Under these provisions, inmates would be subject to random searches and inspections for drugs not less than 12 times each year. Federal prisons would be required to offer residential drug treatment for all inmates. And finally, any employee hired to work in a federal prison would undergo a mandatory drug test, and all employees would be subject to random testing at least twice each year.

I understand that many State and local prisons would also be interested in starting programs to get a drug-free prison, and for that reason have included a new grant program. Any State or unit of local government may apply for grants if they meet the same drug-testing requirements that are mandated for federal prisons under this legislation.

Third, the Mandatory Prisoner Work and Drug Treatment Act includes a requirement that all inmates in the Federal prison system participate in a boot camp for not less than four weeks. This boot camp program would include strict discipline, physical training, and hard labor to deter crime and promote successful integration or reintegration of the offender into the prison community. Those prisoners that choose not to participate or are physically unable to participate are required to be confined to their cells for not less than 23 hours per day during the duration that they would otherwise be spending in this program and be allowed only those privileges that are granted under Federal law.

These boot camps work. In fact, the Federal Bureau of Prisons already supports two such programs, one for men and one for women. These programs place inmates in highly structured, spartan environments where they undergo physical training and labor-intensive work assignments, coupled

with education and vocational training, substance abuse treatment, and life skills programs. They focus on promoting positive changes in inmates' behavior, including responsible decision-making, self-direction and positive self-image. In fact, boot camps have worked so well that over 30 states now have them in place.

Finally, this legislation will further restrict inmates' activities and possessions. Under this legislation inmates would not be allowed to possess or smoke tobacco, view or read pornographic or sexually explicit material, or view cable television that is not educational in nature. Inmates would not be allowed to possess microwave ovens, hot plates, toaster ovens, televisions, or VCRs. They would not be allowed to listen to music that contains lyrics that are violent, vulgar, sexually explicit, glamorize gang membership or activities, demean women, or disrespect law enforcement. We have to remember that these individuals are in Federal prison to be punished for a crime they committed. There is no reason for inmates to be given the same, or better, privileges than law-abiding citizens have. No one can tell me that an inmate has to have cable television when many law-abiding, taxpaying families cannot afford such a perk.

We need to work to ensure that our nation's criminals understand the gravity of the crimes they committed. I understand that many of our nation's jails and prisons use activities like weight lifting as rewards for their inmates. My legislation does not restrict that kind of activity. This legislation simply states that it is no longer acceptable for our nation's inmates to leisurely go about their day instead of working to pay for the crimes they committed. It is time that our government send a clear message to the victims of these crimes that these criminals will pay, and that restitution, to the maximum extent possible, will be made.

Quite simply, we need to stop the revolving doors of our prison system. A study released in June, 2002, by the U.S. Department of Justice found that among nearly 300,000 prisoners released in 15 states in 1994, 67.5 percent were rearrested within three years. It is my hope that if Federal prisoners were required to work and given drug treatment, instead of perks like cable television and weight training time, these individuals would be deterred from committing another crime and returning to prison.

I hope that my colleagues will support this legislation and help me in getting it passed this year.

By Mr. BOND:

S. 673. A bill to amend part D of title III of the Public Health Service Act to authorize grants and loan guarantees for health centers to enable the centers to fund capital needs projects, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. BOND. Mr. President, I rise today to introduce an important piece of new legislation to help an essential part of our health care safety net—our Nation's health centers—serve the uninsured and medically-underserved.

The Building Better Health Centers Act will promote health centers' mission of providing care to anyone who needs it by getting rid of an artificial distinction existing in current law. Right now, federal grant dollars to health centers can be used for most things a health center needs to do—including salaries, supplies, and basic upkeep. But federal grants to health centers cannot be used for one of the most critical and expensive needs a health center, or any business or nonprofit organizations, will ever face—capital improvements.

Unless we correct this silly distinction, many of our health centers are destined to be shackled to slowly deteriorating facilities. Over time, this will sap their ability to provide care. If we are serious about maximizing health centers' ability to deal with our health care access needs, we must allow Federal grant dollars to be used to meet our health centers' capital needs.

I've been down here on the Senate floor many times to talk about health centers, but let me cover the basics once again. Health centers—which include community health centers, migrant health centers, homeless health centers, and public housing health centers—address the health care access problem by providing primary care service in thousands of rural and urban medically-underserved communities throughout the United States.

And as we all know, the health care access problem remains a serious issue in our country. Many health care experts believe that Americans' lack of access to basic health services is our single most pressing health care problem. Nearly 50 million Americans do not have access to a primary care provider, whether they are insured or not. In addition, over 41 million Americans lack health insurance and have difficulty accessing care due to the inability to pay.

Health centers help fill part of this void. More than 3,400 health center clinics nationwide provide basic health care services to more than 12 million Americans, almost 8 million minorities, nearly 850,000 farmworkers, and almost 750,000 homeless individuals each year. The care they provide has been repeatedly shown by studies to be high-quality and cost-effective. In fact, health centers are one of the best health care bargains around—the average yearly cost for a health center patient is just over one dollar per day.

I believe that one of the most effective ways to address our health care access problem is by dramatically expanding access to health centers. And I am pleased to report a strong consensus is developing to do exactly that. The Senate has voted in support of a proposal I have made with Sen. HOLLINGS to double access to health centers by doubling funding over a five-year period. In addition, President Bush has proposed that we double the number of people that health centers care in the years ahead.

But over the next few years, as we hopefully see additional resources flow to health centers, we will increasingly encounter problems that stem from an artificial distinction we see in current law. As I mentioned, Federal health center grants are currently allowed to be used for most purposes—including salaries for health professionals and administrators, medical supplies, basic upkeep of clinic facilities, even lease payments if the health center rents. But they simply cannot be used for capital improvements.

This means that unless health centers can find some other way to finance their capital needs—and I will talk in a moment about the significant barriers they face in doing this—major projects that could provide substantial benefit to patients will never happen.

It means that an urban community health center that has been slowly expanding staff and services over many years until it's bursting at the seams of its modest two-story building will have to continue to find ways to cope, even if that prevents additionally-needed expansion or even if upkeep costs on the old building begin to spiral out-of-control.

It means that a rural community health center in an area desperately in need of dental services may not be able to expand the facility and purchase dental chairs, X-ray machines and other major dental equipment needed for the desired expansion into dental services.

It means that even if Federal Government is willing to commit grant funds to open a new health center in one of the hundreds of underserved communities nationwide which lacks any health care professionals for miles around, the new center may never come to be due to lack of funding for a facility in which to house it.

This is more than theory—the evidence shows that many existing health centers operate in facilities that desperately need renovation or modernization. Approximately one of every three health centers reside in a building more than 30 years old, and one of every eight operate out of a facility more than half a century old.

Moreover, a recent survey of health centers in 12 states showed that more than two-thirds of health centers had a specifically-identified need to renovate, expand, or replace their current facility. The average cost of a needed capital project was $1.8 million, and the needs ranged from ''small'' projects of $400,000 to major $5 million efforts. The survey demonstrates that there may be as much as $1.2 billion in unmet capital needs in our nation's health centers.

And that is just for existing health centers. As I mentioned, hundreds of

medically-underserved areas lack—and could desperately use—the services of a health center. This further shows the need for new facilities—and more capital—as we expand access to new communities.

So what about possible sources of capital? There are plenty of ways—in theory—that health centers might be able to get money for capital improvements. Businesses—large and small—do it all the time. So do other nonprofit organizations like universities and hospitals. They use built-up equity. They take out loans. They float bonds. They raise money through private donations as part of a capital campaign.

But unfortunately, health centers just aren't quite like most other businesses or nonprofits, and many times these options are unrealistic as a way to provide the entire cost of a major project.

Health centers simply don't have loads of cash in the bank. The revenue these clinics are able to cobble together from federal grants, low-income patients, Medicaid, private donations, and other health insurers is typically all put back into to patient care.

Health centers already work hard to maximize the money they can raise through private donations and non-Federal grant sources. In fact, an average of 9 percent of health center revenue comes from these sources. Most of this private and public funding is used to meet operating expenses, and it is difficult to go back to the same sources to request further donations for capital needs. In fundraising, health centers also face a huge disadvantage compared to nonprofit organizations like universities and hospitals because health centers lack a natural middle- and upper-class donor base. And raising private funds is particularly hard in isolated rural areas that are often quite poor and which can have the most dire health care access problems.

Finally, health centers have difficulties obtaining private loans for capital needs for a variety of reasons. The high number of uninsured patients health centers treat and the poor reimbursement rates received from most Medicaid programs mean health centers rarely have significant operating margins. Without these margins, banks are leery about loans because they don't feel assured that a health center will have sufficient cash flow to successfully manage loan payments. Banks are made even more nervous by the high proportion of health center revenue that comes from sometimes-unreliable government sources—such as the health centers' grant funding and Medicine and Medicaid reimbursements.

So what should we do? This isn't exactly rocket science. We have a need—many health centers require significant help to build or maintain adequate facilities because they can't raise the money or obtain the loans themselves. And we have an existing law that prevents the federal government from using health center funding to do exactly that.

We simply need to get rid of the artificial distinction we have right now and allow our health center grant dollars to go to further the health center mission in the best way possible—and that is going to mean at times that we should support some new construction or major renovation projects. If a crumbling building is constantly in need of repair, is soaking up money, and is reducing the number of patients a health center can reach out to, the Federal Government should help with the major renovation or the new construction needed.

The Building Better Health Centers Act authorizes the Federal Government to make grants to health centers for facility construction, modernization, replacement, and major equipment purchases. If our goal is to help health centers provide high-quality care to as many uninsured and medically-underserved people as possible, we need to get rid of barriers to doing that, including capital barriers.

Behond just the possibility of grant funding, the bill goes further and permits the Federal Government to guarantee loans made by a bank or another private lender to a health center to construct, replace, modernize, or expand a health center facility. This loan guarantee is an additional tool that will help allay the fears of banks and other private lenders by limiting their exposure if a health center defaults on a loan. An additional advantage of loan guarantees is that you can stretch funds farther. When guaranteeing a $1 million loan, the Federal Government need only set aside a much smaller amount of appropriated money—perhaps only a twelfth to a tenth of the loan total—to insure against that loan's possible default. This multiplier factor means that for every dollar appropriated for this purpose, many dollars worth of loans can be guaranteed.

There is actually tremendous potential for these two new options—the facility grants and the facility loan guarantees—to work together. Sharing in up-front costs through grant funding, and helping further by guaranteeing a loan that covers the remainder of a project's cost may well be the best approach. This will balance the need to make sure specific projects get enough grant funding to make them realistic and the need to spread capital assistance among as many projects as possible.

Let my try to respond in advance to a few potential criticism of this legislation. First, to those who simply think on principle that the government should stay out of private-sector bricks and mortar projects, I would say we're already at least halfway pregnant. In just about every appropriations bill, we have dozens if not hundreds of specific projects earmarked for major building or renovation projects.

Some might worry that the potential large costs of construction projects could get out of hand and squeeze out funding actually used for patient care. But let me point out that we limit capital assistance to five percent of all health center funding. Based on this year's funding level, this would mean up to $75 million for facility grants and loan guarantees. Because the loan guarantee program would allow some of this money to be stretched, this level of support could easily mean help for more than $200 million in health center capital projects. But the main point is that capital projects are absolutely limited to five-percent of health center funding, which prevents any possible runaway spending.

Finally, we should ask ourselves whether or not Federal assistance is going to give a free pass to communities, which really should be expected to help out with public-minded projects like the construction or renovation of a health center. In my bill, local communities are expected to help. No more than 90 percent of the total costs of a major project can come from Federal sources—and this is the absolute upper limit. Much more likely are evenly-shared costs or situations in which federal support represents a minority of the capital investment. This bill does not give local areas a free ride.

The quick rationale for this bill is simple. Many health centers are hampered in their efforts to provide health care to the medically-underserved by inadequate facilities. It doesn't make sense to help these vital community clinics only with day-to-day expenses if their building is literally crumbling around them.

I urge my colleagues to join me in supporting this legislation. I look forward to working with my colleagues in the Senate and on the Health, Education, Labor, and Pensions Committee to aggressively help our nation's health centers meet their dire capital needs by making this bill law.

By Ms. COLLINS (for herself, Mr. SANTORUM, Mr. SARBANES, Mr. EDWARDS, Mr. FEINGOLD, Mr. KENNEDY, Mr. SCHUMER, Mr. KERRY, Mrs. FEINSTEIN, Mr. LIEBERMAN, Mr. DODD, and Ms. MIKULSKI):

S. 674. A bill to amend the National Maritime Heritage Act of 1994 to reaffirm and revise the designation of America's National Maritime Museum, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Ms. COLLINS. Mr. President, I am pleased to be introducing America's National Maritime Museum Designation Act of 2003. This legislation would designate an additional 19 maritime museums as ''America's National Maritime Museums'' nationwide. Maritime Museums are dedicated to advancing maritime and nautical science by fostering the exchange of maritime information and experience and by promoting advances in nautical education.

The America's National Maritime Museum designation would include a

commitment on the part of each institution toward accomplishing a coordinated education initiative, resources management program, awareness campaign, and heritage grants program. Maritime museums in America are dedicated to illuminating humankind's experience with the sea and the events that shaped the course and progress of civilization.

Museum collections are composed of hundreds of thousands of maritime items, including ship models, scrimshaw, maritime paintings, decorative arts, intricately carved figureheads, working steam engines, and much more. Maritime museums offer a variety of learning experiences for children and adults through hands-on workshops and programs that focus on maritime history.

Maritime lecture series offer an opportunity to learn about the history and lore of the sea from some of the Nation's leading maritime experts. Visitors learn the broad concept of sea power—the historic and modern importance of the sea in matters commercial, military, economic, political, artistic, and social.

The legislation that I am proposing would help museums better interpret maritime and social history to the public using their extensive collections of artifacts, exhibits and expertise. These programs and facilities are used by schools, civic organizations, genealogists, maritime scholars, and the visiting public, thus, serving students of all ages.

I urge all members of the Senate to join me in support of The America's National Maritime Museum Designation Act of 2003.

By Mr. ENSIGN (for himself, Mr. SESSIONS, Mr. CRAPO, and Mr. KYL):

S. 675. A bill to require the Congressional Budget Office and the Joint Committee on Taxation to use dynamic economic modeling in addition to static economic modeling in the preparation of budgetary estimates of proposed changes in Federal revenue law; to the Committee on Governmental Affairs and the Committee on the Budget, jointly, pursuant to the order of August 4, 1977, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

Mr. ENSIGN. Mr. President, I rise today to introduce legislation to instruct the Joint Committee on Taxation and the Congressional Budget Office to employ dynamic scoring models, alongside static scoring when estimating the fiscal effect of tax policy changes.

For too long, Congress has debated tax changes without considering how those changes might affect the economy.

The current method, static scoring, assumes tax cuts or tax hikes have no effect on how taxpayers work, save and invest their money. Not surprisingly, experience shows this assumption is completely off-base. The idea that tax relief and investment incentives strengthen our economy is not new to the 21st Century.

On April 15, 1986, President Reagan talked about the positive effect of tax relief on economic growth. He stated:

> Whatever you want to call it, supply side economics or incentive economics . . . it's launching the American economy into a new era of growth and opportunity . . . Our basic ingredients for a tax package have not changed: tax rate reductions, thresholds high enough so hard-working Americans aren't pushed relentlessly into higher brackets, some long-overdue tax relief for America's families, and investment incentives for business. . .

What President Reagan stated so eloquently in 1986 holds true today. Economic growth is more easily achieved in an atmosphere where more Americans are able to save and invest their money. Tax relief provides economic growth, and when we draft legislation, we should understand not just the cost of tax relief to the Federal budget, but also the benefits that tax relief provides to the economy and the long-term increase in revenues to the federal government that tax relief can provide.

The current static estimates that we use imply that tax policy changes have no effect on our economy, never produce higher or lower revenues and never cause resources to shift within our federal budget. This is simply incorrect. Tax policy changes can have a huge impact on our economy.

The belief that tax policy changes directly impact our economy is not just a Republican ideal.

In 1962, President John F. Kennedy remarked:

> It is increasingly clear that no matter what party is in power, so long as our national security needs keep rising, an economy hampered by restrictive tax rates will never produce enough jobs or enough profits.

Tax relief provides jobs and profits, no matter who is in the White House and no matter who holds the majority in Congress. It is time that Congress looks at the real world implications of our tax policy before we decide the overall cost and how much relief we can afford to give to American families.

The debate on dynamic versus static scoring may sound like an inside-the-Beltway squabble, but as I have said today, the decision on how to estimate revenues does have important real world implications.

For example, better revenue estimating methods would make it easier to implement tax rate reductions. This would put more money into the pockets of taxpayers, which would have a very real positive affect on our economy.

Another example, shifting to a more simple, fair tax code would be less difficult if revenue estimators were allowed to consider the positive impact of tax reform on economic performance. Clearly a simplified tax code would affect each and every tax paying American.

American families face the challenge of paying their tax burden; providing food, clothing and shelter for their children; and must work even harder to have money leftover so they can afford to pay their medical bills, enjoy a family vacation, save for education costs, or put money away for retirement.

We know that when government takes money away from working families, it stifles growth. We also know that when the government gives money back to the working families that earned it, we encourage growth.

I should clarify that this legislation does not negate the Congress' use of the currently used static scoring model. This bill simply directs OMB and the Joint Tax Committee to use both static and dynamic scoring.

This will create a system that will allow Congress a slide-by-slide analysis of both scoring methods. In a Washington Post editorial on January 31, it was suggested that dynamic scoring could be useful as a way to present tax or spending policies as an additional alternative scenario. The editorial states that it would do no harm to the traditional way that CBO goes about its job to set up a dual scoring method. This is not, as some of my colleagues on the other side of the aisle have suggested, ''fantasyland scoring.''

By using both static and dynamic scoring methods, Mr. President, through time we will all understand which approach is more realistic, and only then, I believe, can we then confidently do away with the antiquated, unrealistic static model we use today.

I ask unanimous consent that the text of the bill be printed in the RECORD.

S. 675

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SENSE OF CONGRESS.

It is the sense of Congress that it is necessary to ensure that Congress is presented with reliable information from the Congressional Budget Office and the Joint Committee on Taxation as to the dynamic macroeconomic feedback effects to changes in Federal law and the probable behavioral responses of taxpayers, businesses, and other parties to such changes. Specifically, the Congress intends that, while not excluding any other estimating method, dynamic estimating techniques shall also be used in estimating the fiscal impact of proposals to change Federal laws, to the extent that data are available to permit estimates to be made in such a manner.

SEC. 2. ESTIMATES OF THE JOINT COMMITTEE ON TAXATION.

In addition to any other estimates it may prepare of any proposed change in Federal revenue law, a fiscal estimate shall be prepared by the Joint Committee on Taxation of each such proposed change on the basis of assumptions that estimate the probable behavioral responses of personal and business taxpayers and other relevant entities to that proposed change and the dynamic macroeconomic feedback effects of that proposed change. The preceding sentence shall apply only to a proposed change that the Joint

Committee on Taxation determines, pursuant to a static fiscal estimate, has a fiscal impact in excess of $250,000,000 in any fiscal year.

SEC. 3. ESTIMATES OF THE CONGRESSIONAL BUDGET OFFICE.

In addition to any other estimates it may prepare of any proposed change in Federal revenue law, a fiscal estimate shall be prepared by the Congressional Budget Office of each such proposed change on the basis of assumptions that estimate the probable behavioral responses of personal and business taxpayers and other relevant entities to that proposed change and the dynamic macroeconomic feedback effects of that proposed change. The preceding sentence shall apply only to a proposed change that the Congressional Budget Office determines, pursuant to a static fiscal estimate, has a fiscal impact in excess of $250,000,000 in any fiscal year.

SEC. 4. DISCLOSURE OF ASSUMPTIONS.

Any report to Congress or the public made by the Joint Committee on Taxation or the Congressional Budget Office that contains an estimate made under this Act of the effect that any legislation will have on revenues shall be accompanied by—

(1) a written statement fully disclosing the economic, technical, and behavioral assumptions that were made in producing that estimate, and

(2) the static fiscal estimate made with respect to the same legislation and a written statement of the economic, technical, and behavioral assumptions that were made in producing that estimate.

SEC. 5. CONTRACTING AUTHORITY.

In performing the tasks specified in this Act, the Joint Committee on Taxation and the Congressional Budget Office may, subject to the availability of appropriations, enter into contracts with universities or other private or public organizations to perform such estimations or to develop protocols and models for making such estimates.

By Mr. BAUCUS (for himself, Mr. CRAIG, Mr. BAYH, and Mr. ROCKEFELLER):

S. 676. A bill to establish a WTO Dispute Settlement Review Commission, and for other purposes; to the Committee on Finance.

Mr. BAUCUS. Mr. President, I rise today to offer, along with Senator CRAIG, much needed trade legislation. I also want to thank Senators BAYH and ROCKEFELLER for their support for this legislation.

The bill that we are introducing would create a Commission to review decisions of the World Trade Organization.

Why is this legislation necessary? Simply put—we must ensure that the United States is getting the benefit of the agreements we negotiated.

WTO panels have handed down several decisions recently that go well beyond the scope of their authority. These decisions have had a wide-ranging impact, undermining our ability to use antidumping and safeguard laws and calling major portions of the U.S. tax code into question.

Most recently, the WTO ruled that the so-called ''Byrd Amendment'' violates WTO rules. In fact, the Byrd Amendment simply takes duties collected on unfairly traded products out of the U.S. Treasury and redistributes them to companies and workers hurt by that unfair trade.

The Byrd Amendment adds no burden whatsoever on imports. But despite this, a WTO panel has inexplicably ruled that this law imposes an impermissible penalty for dumping.

I would note here that the Administration has proposed repealing the Byrd Amendment. I strongly oppose that. And so does an overwhelming majority of the Senate.

In fact, last month 70 Senators sent a letter to the President in support of this important law.

Another area that I have great concerns about involves the softwood lumber dispute. The WTO currently found that Canada subsidizes its lumber industry, and I applaud that decision.

But then the WTO undercut the benefits of that decision. They ruled that when determining a market price, Commerce must use the subsidy-distorted Canadian timber prices rather than the market-based U.S. prices. This practice is wholly inconsistent with previous WTO practice.

We need to start seriously examining why it is that we are losing these and other cases.

In my view, it is because WTO panels have ceased intepreting our trade agreements and have begun legislating. Instead of following the rules, they are flouting the rules. And they are substituting their own judgment in place of carefully negotiated principles.

In the process, they are eroding U.S. trade laws, taking away rights the U.S. bargained for, and imposing new obligations we never agreed to accept.

Just as troubling, they are doing so mostly under the radar of Congress and the American public.

The purpose of the legislation Senator CRAIG and I are proposing is to open the performance of WTO panels to public debate.

Under the legislation, the President, in consultation with Congress, would create a Commission by appointing 5 retired federal appellate judges to serve 5-year terms.

The Commission would review WTO decisions adverse to the United States to examine whether the panelists have exceeded their authority. The Commissioners would then report their findings to Congress.

Increasing the transparency of the WTO in this manner is entirely consistent with the Administration's stated objectives. It would also allow us to discuss openly and fairly whether the WTO is working as it should.

The legislation offers something for everyone. If the Commission finds that the WTO is applying the rules properly it will silence critics—and perhaps earn converts.

But if the WTO is in fact straying beyond the carefully negotiated boundaries of our trade agreements, Congress needs to have the oversight in place so that we can remedy the situation.

I understand and support the need for a global trading system. But we need to ensure that the WTO is respecting the limits of its authority and honestly applying the rules under which it operates.

I hope that my colleagues will join me in helping to pass this important legislation.

I ask unanimous consent that the text bill be printed in the RECORD.

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

S. 676

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; FINDINGS; PURPOSE.

(a) SHORT TITLE.—This Act may be cited as the ''World Trade Organization Dispute Settlement Review Commission Act''.

(b) FINDINGS.—Congress finds the following:

(1) The United States joined the World Trade Organization (in this Act referred to as the ''WTO'') as an original member with the goal of creating an improved global trading system and providing expanded economic opportunities for United States firms and workers, while preserving United States sovereignty.

(2) The American people must receive assurances that United States sovereignty will be protected, and United States interests will be advanced, within the global trading system which the WTO will oversee.

(3) The WTO's dispute settlement rules are meant to enhance the likelihood that governments will observe their WTO obligations. These dispute settlement rules will help ensure that the United States will reap the full benefits of its participation in the WTO.

(4) United States support for the WTO depends on obtaining mutual trade benefits through the openness of foreign markets and the maintenance of effective United States and WTO remedies against unfair and otherwise harmful trade practices.

(5) Congress passed the Uruguay Round Agreements Act based on its understanding that effective trade remedies would not be eroded. These remedies are essential to continue the process of opening foreign markets to imports of goods and services and to prevent harm to American industry and agriculture.

(6) In particular, WTO dispute panels and the Appellate Body should—

(A) operate with fairness and in an impartial manner;

(B) not add to the obligations, or diminish the rights, of WTO members under the Uruguay Round Agreements; and

(C) observe the terms of reference and any applicable WTO standard of review.

(c) PURPOSE.—It is the purpose of this Act to provide for the establishment of the WTO Dispute Settlement Review Commission to achieve the objectives described in subsection (b)(6).

SEC. 2. DEFINITIONS.

In this Act:

(1) ADVERSE FINDING.—The term ''adverse finding'' means—

(A) in a panel or Appellate Body proceeding initiated against the United States, a finding by the panel or the Appellate Body that, any law or regulation of, or application thereof by, the United States, or any State, is inconsistent with the obligations of the United States under a Uruguay Round Agreement (or nullifies or impairs benefits accruing to a WTO member under such an Agreement); or

(B) in a panel or Appellate Body proceeding in which the United States is a complaining party, any finding by the panel or the Appellate Body that a measure of the party complained against is not inconsistent with that

party's obligations under a Uruguay Round Agreement (or does not nullify or impair benefits accruing to the United States under such an Agreement).

(2) AFFIRMATIVE REPORT.—The term ''affirmative report'' means a report described in section 234(b)(2) which contains affirmative determinations made by the Commission under paragraph (3) of section 4(a).

(3) APPELLATE BODY.—The term ''Appellate Body'' means the Appellate Body established by the Dispute Settlement Body pursuant to Article 17.1 of the Dispute Settlement Understanding.

(4) DISPUTE SETTLEMENT BODY.—The term ''Dispute Settlement Body'' means the Dispute Settlement Body established pursuant to the Dispute Settlement Understanding.

(5) DISPUTE SETTLEMENT PANEL; PANEL.—The terms ''dispute settlement panel'' and ''panel'' mean a panel established pursuant to Article 6 of the Dispute Settlement Understanding.

(6) DISPUTE SETTLEMENT UNDERSTANDING.—The term ''Dispute Settlement Understanding'' means the Understanding on Rules and Procedures governing the Settlement of Disputes referred to in section 101(d)(16) of the Uruguay Round Agreements Act.

(7) TERMS OF REFERENCE.—The term ''terms of reference'' has the meaning given such term in the Dispute Settlement Understanding.

(8) TRADE REPRESENTATIVE.—The term ''Trade Representative'' means the United States Trade Representative.

(9) URUGUAY ROUND AGREEMENT.—The term ''Uruguay Round Agreement'' means any of the Agreements described in section 101(d) of the Uruguay Round Agreements Act.

(10) WORLD TRADE ORGANIZATION; WTO.—The terms ''World Trade Organization'' and ''WTO'' mean the organization established pursuant to the WTO Agreement.

(11) WTO AGREEMENT.—The term ''WTO Agreement'' means the Agreement Establishing the World Trade Organization entered into on April 15, 1994.

SEC. 3. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the World Trade Organization Dispute Settlement Review Commission (in this Act referred to as the ''Commission'').

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of 5 members, all of whom shall be retired judges of the Federal judicial circuits, and who shall be appointed by the President, after consultation with the Majority Leader and Minority Leader of the House of Representatives, the Majority Leader and Minority Leader of the Senate, the chairman and ranking member of the Committee on Ways and Means of the House of Representatives, and the chairman and ranking member of the Committee on Finance of the Senate.

(2) DATE OF APPOINTMENT.—The appointments of the members of the Commission shall be made not later than 90 days after the date of enactment of this Act.

(c) PERIOD OF APPOINTMENT; VACANCIES.—

(1) IN GENERAL.—Members of the Commission first appointed shall each be appointed for a term of 5 years.

(2) SUBSEQUENT TERMS.—After the initial 5-year term, 3 members of the Commission shall be appointed for terms of 3 years and the remaining 2 members shall be appointed for terms of 2 years.

(3) VACANCIES.—

(A) IN GENERAL.—Any vacancy on the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment and shall be subject to the same conditions as the original appointment.

(B) UNEXPIRED TERM.—An individual chosen to fill a vacancy shall be appointed for the unexpired term of the member replaced.

(d) MEETINGS.—

(1) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(2) SUBSEQUENT MEETINGS.—The Commission shall meet subsequently at the call of the chairperson.

(e) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(f) CHAIRPERSON AND VICE CHAIRPERSON.—The Commission shall select a chairperson and vice chairperson from among its members.

(g) AFFIRMATIVE DETERMINATIONS.—An affirmative vote by a majority of the members of the Commission shall be required for any affirmative determination by the Commission under section 4.

SEC. 4. DUTIES OF THE COMMISSION.

(a) REVIEW OF WORLD TRADE ORGANIZATION DISPUTE SETTLEMENT REPORTS.—

(1) IN GENERAL.—The Commission shall review—

(A) all reports of dispute settlement panels or the Apellate Body of the WTO in proceedings initiated by other parties to the WTO that are adverse to the United States and that are adopted by the Dispute Settlement Body; and

(B) upon request of the Trade Representative, the chairman or ranking member of the Committee on Ways and Means of the House of Representatives, or the chairman or ranking member of the Committee on Finance of the Senate, any other report of a dispute settlement panel, or the Appellate Body that is adopted by the Dispute Settlement Body.

(2) SCOPE OF REVIEW.—In the case of a report described in paragraph (1), the Commission shall conduct a complete review and determine whether the panel or Appellate Body, as the case may be—

(A) exceeded its authority or its terms of reference;

(B) added to the obligations, or diminished the rights of the United States under the Uruguay Round Agreement that is the subject of the report;

(C) acted arbitrarily or capriciously, engaged in misconduct, or demonstrably departed from the procedures specified for panels and Appellate Bodies in the applicable Uruguay Round Agreement; and

(D) deviated from the applicable standard of review, including in antidumping, countervailing duty, and other unfair trade remedy cases, the standard of review set forth in Article 17.6 of the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade, 1994.

(3) AFFIRMATIVE DETERMINATION.—If the Commission makes an affirmative determination with respect to the action of a panel or an Appellate Body under subparagraph (A), (B), (C), or (D) of paragraph (2), the Commission shall determine whether the action of the panel or Appellate Body materially affected the outcome of the report of the panel or Appellate Body.

(b) DETERMINATION; REPORT.—

(1) DETERMINATION.—Not later than 120 days after the date that a report of a panel or Appellate Body described in subsection (a) is adopted by the Dispute Settlement Body, the Commission shall make a written determination with respect to matters described in subsection (a) (2) and (3).

(2) REPORTS.—The Commission shall report the determination described in paragraph (1) to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

SEC. 5. POWERS OF THE COMMISSION.

(a) HEARINGS.—The Commission may hold any hearings, sit and act at any time and place, take any testimony, and receive any evidence as the Commission considers advisable to carry out the purposes of this Act. The Commission shall provide reasonable notice of a hearing held pursuant to this subsection.

(b) INFORMATION FROM INTERESTED PARTIES AND FEDERAL AGENCIES.—

(1) NOTICE OF PANEL OR APPELLATE BODY REPORT.—The Trade Representative shall advise the Commission not later than 5 days after the date the Dispute Settlement Body adopts the report of a panel or Appellate Body that is adverse to the United States and shall immediately publish notice of that advice in the Federal Register, along with notice of an opportunity for interested parties to submit comments to the Commission.

(2) SUBMISSIONS AND REQUESTS FOR INFORMATION.—Any interested party may submit comments to the Commission regarding the panel or Appellate Body report. The Commission may also secure directly from any Federal department or agency any information the Commission considers necessary to carry out the provisions of this Act. Upon request of the chairperson of the Commission, the head of that department or agency shall furnish the requested information to the Commission.

(3) ACCESS TO PANEL AND APPELLATE BODY DOCUMENTS.—

(A) IN GENERAL.—The Trade Representative shall make available to the Commission all submissions and relevant documents relating to the panel or Appellate Body report, including any information contained in submissions identified by the provider of the information as proprietary information or information treated as confidential by a foreign government.

(B) PUBLIC ACCESS.—Any document which the Trade Representative submits to the Commission shall be available to the public, except information which is identified as proprietary or confidential.

(4) ASSISTANCE FROM FEDERAL AGENCIES; CONFIDENTIALITY.—

(A) ADMINISTRATIVE ASSISTANCE.—Any agency or department of the United States that is designated by the President shall provide administrative services, funds, facilities, staff, or other support services to the Commission to assist the Commission with the performance of the Commission's functions.

(B) CONFIDENTIALITY.—The Commission shall protect from disclosure any document or information submitted to it by a department or agency of the United States which the agency or department requests be kept confidential. The Commission shall not be considered to be an agency for purposes of section 552 of title 5, United States Code.

By Mr. CAMPBELL (for himself and Mr. ALLARD):

S. 677. A bill to revise the boundary of the Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area in the State of Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. CAMPBELL. Mr. President, today I introduce the ''Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Boundary Revision Act of 2003.'' I introduced a similar bill in the 107th Congress. I am confident that the 108th Congress will quickly pass this bill on to the President for his signature so

that we can continue to celebrate this special place.

My bill improves upon my earlier efforts designating the park.

The Black Canyon of the Gunnison Gorge is a national treasure to be enjoyed by all. The park's combination of geological wonders and diverse wildlife make it one of the most unique natural areas in North America.

The first person to survey the canyon, Abraham Lincoln Fellows, noted in 1901, ''our surroundings were of the wildest possible description. The roar of the water . . . was constantly in our ears, and the walls of the canyon, towering half mile in height above us, were seemingly vertical.'' Similarly, today, visitors can enjoy hiking the deep gorge to the Gunnison River raging below, or look overhead to marvel at eagles and peregrine falcons soaring in the sky.

This bill modifies the legislative boundary of the Gunnison Gorge National Conservation Area allowing even greater access to the park's many recreational opportunities including boating, fishing, and hiking.

This important legislation would expand the National Park by 2,725 acres, for a total of 33,025 acres. The Conservation area will be increased by 5,700 acres, for a total of 63,425 acres. In total this bill adds approximately 8,400 acres to provide habitat for several listed, threatened, endangered and BLM sensitive species including, the Bald Eagle, the River Otter, Delta Lomation, and Clay-Loving Buckwheat.

Furthermore, I have added specific language to ensure that the Bureau of Reclamation retains its traditional jurisdiction over water and water delivery systems.

This legislation helps preserve a unique national resource and a source of national pride.

I urge quick passage of this important bill. I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 677

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Boundary Revision Act of 2003''.

SEC. 2. BLACK CANYON OF THE GUNNISON NATIONAL PARK BOUNDARY REVISION.

(a) ESTABLISHMENT.—Section 4(a) of the Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Act of 1999 (16 U.S.C. 410fff–2(a)) is amended—

(1) by striking ''There is hereby established'' and inserting the following:

''(1) IN GENERAL.—There is established''; and

(2) by adding at the end the following:

''(2) BOUNDARY REVISION.—The boundary of the Park is revised to include the addition of not more than 2,725 acres, as depicted on the map entitled 'Black Canyon of the Gunnison National Park and Gunnison Gorge NCA Boundary Modifications' and dated January 21, 2003.''.

(b) ADMINISTRATION.—Section 4(b) of the Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Act of 1999 (16 U.S.C. 410fff–2(b)) is amended—

(1) by striking ''Upon'' and inserting the following:

''(1) LAND TRANSFER.—

''(A) IN GENERAL.—On''; and

(2) by striking ''The Secretary shall'' and inserting the following:

''(B) ADDITIONAL LAND.—On the date of enactment of the Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Boundary Revision Act of 2003, the Secretary shall transfer the land under the jurisdiction of the Bureau of Land Management identified as 'Tract C' on the map described in subsection (a)(2) to the administrative jurisdiction of the National Park Service for inclusion in the Park.

''(2) AUTHORITY.—The Secretary shall''.

SEC. 3. GRAZING PRIVILEGES AT BLACK CANYON OF THE GUNNISON NATIONAL PARK.

Section 4(e) of the Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Act of 1999 (16 U.S.C. 410fff–2(e)) is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(B) by inserting after subparagraph (A) the following:

''(B) TRANSFER.—If land authorized for grazing under subparagraph (A) is exchanged for private land under this Act, the Secretary shall transfer any grazing privileges to the private land acquired in the exchange in accordance with this section.''; and

(2) in paragraph (3)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) by redesignating subparagraph (B) as subparagraph (D);

(C) by inserting after subparagraph (A) the following:

''(B) with respect to the permit or lease issued to LeValley Ranch Ltd., a partnership, for the lifetime of the 2 limited partners as of October 21, 1999;

''(C) with respect to the permit or lease issued to Sanburg Herefords, L.L.P., a partnership, for the lifetime of the 2 general partners as of October 21, 1999; and''; and

(D) in subparagraph (D) (as redesignated by subparagraph (B))—

(i) by striking ''partnership, corporation, or'' in each place it appears and inserting ''corporation or''; and

(ii) by striking ''subparagraph (A)'' and inserting ''subparagraphs (A), (B), or (C)''.

SEC. 4. ACQUISITION OF LAND.

(a) AUTHORITY TO ACQUIRE LAND.—Section 5(a)(1) of the Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Act of 1999 (16 U.S.C. 410fff–3(a)(1)) is amended by inserting ''or the map described in section 4(a)(2)'' after ''the Map''.

(b) METHOD OF ACQUISITION.—

(1) IN GENERAL.—Land or interest in land acquired under the amendments made by this Act shall be made in accordance with section 5(a)(2)(A) of the Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Act of 1999 (16 U.S.C. 410fff–3(a)(2)(A)).

(2) CONSENT.—No land or interest in land may be acquired without the consent of the landowner.

SEC. 5. GUNNISON GORGE NATIONAL CONSERVATION AREA BOUNDARY REVISION.

Section 7(a) of the Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Act of 1999 (16 U.S.C. 410fff–5(a)) is amended—

(1) by striking ''(a) IN GENERAL.—There is established'' and inserting the following:

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—There is established''; and

(2) by adding at the end the following:

''(2) BOUNDARY REVISION.—The boundary of the Conservation Area is revised to include the addition of not more than 7,100 acres, as depicted on the map entitled 'Black Canyon of the Gunnison National Park and Gunnison Gorge NCA Boundary Modifications' and dated January 21, 2003.''.

SEC. 6. ACCESS TO WATER DELIVERY FACILITIES.

The Commissioner of Reclamation shall retain administrative jurisdiction over, and access to, land, facilities, and roads of the Bureau of Reclamation in the East Portal area and the Crystal Dam area, as depicted on the map identified in section 4(a)(2) of the Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Act of 1999 (as added by section 2(a)(2)) for the maintenance, repair, construction, replacement, and operation of any facilities relating to the delivery of water under the jurisdiction of the Bureau to users of the water (as of the date of enactment of this Act).

By Mr. AKAKA (for himself, Ms. COLLINS, Mr. DASCHLE, Mr. JEFFORDS, Mr. INOUYE, Ms. MIKULSKI, and Mr. SARBANES):

S. 678. A bill to amend chapter 10 of title 39, United States Code, to include postmasters and postmasters organizations in the process for the development and planning of certain policies, schedules, and programs, and for other purposes; to the Committee on Governmental Affairs.

Mr. AKAKA. Mr. President, I rise today to introduce the Postmasters Equity Act of 2003, and I am pleased to have Senators COLLINS, DASCHLE, JEFFORDS, INOUYE, MIKULSKI, and SARBANES join me as original cosponsors. Our bill modifies legislation I offered in the 107th Congress. That bill, S. 177, the Postmasters Fairness Act, enjoyed the bipartisan support of 49 members of the U.S. Senate. Its House companion bill, H.R. 250, had 291 cosponsors.

The measure I introduce today differs from its predecessor in that it provides postmasters the option of fact finding rather than binding arbitration if the postmasters management associations and the Postal Service are unable to reach agreement on specific issues. Fact finding would allow for an unbiased review of the issues in dispute and the issuance of non-binding recommendations. The measure would also define the term postmaster for the first time.

Extending the option of fact finding to postmasters will enable them to take a more active and constructive role in managing their individual post offices and discussing compensation issues with the Postal Service. The Postal Reorganization Act of 1970 created a consultative process for postmasters and other non-union postal

employees to negotiate pay and benefits. However, under the current system, postmasters have seen an erosion of their role in improving the quality of mail services to postal patrons and managing their local post offices. This has been particularly true for postmasters responsible for small and medium sized post offices where they serve as front line managers. These circumstances are among factors contributing to the decline in the number of postmasters since the reorganization of the Postal Service over three decades ago.

At the present time, postmasters lack recourse when consultation fails, and my bill extends to our Nation's postmasters what is currently enjoyed by postal supervisors. While postal supervisors have the same consultation process as postmasters, the supervisors also have fact finding, which provides them with greater ability to negotiate with USPS management.

The Postal Service estimates that each day seven million customers transact business at post offices. We expect timely delivery of the mail, six days a week, and the Postal Service does not disappoint us. Given the regularity of mail delivery and the number of Americans visiting post offices daily, it is no wonder that we have come to view our neighborhood post offices as cornerstones of our communities. In fact, many of our towns and cities have developed around a post office where the postmaster served as the town's only link to the federal government.

Our Nation's postmasters are on the front line to ensure that the mail gets delivered in a timely manner, and they help fuel the infrastructure that continues to boost the performance ratings of the Postal Service. Postmasters have enabled us to communicate with one another since the dawn of this great republic. I urge my colleagues to join me in showing their support for our Nation's postmasters by cosponsoring this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 678

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Postmaster Equity Act of 2003''.

SEC. 2. POSTMASTERS AND POSTMASTERS ORGANIZATIONS.

(a) IN GENERAL.—Section 1004 of title 39, United States Code, is amended—

(1) in subsection (a), by inserting '', postmaster,'' after ''supervisory'' both places it appears;

(2) in subsection (b)—

(A) in the first sentence, by inserting '', postmaster,'' after ''supervisory''; and

(B) in the second sentence—

(i) by striking ''or that a managerial organization (other than an organization representing supervisors)'' and insert ''that a postmaster organization represents a substantial percentage of postmasters (as defined under subsection (j)(3)), or that a managerial organization (other than an organization representing supervisors or postmasters)''; and

(ii) by striking ''relating to supervisory'' and inserting ''relating to supervisory, postmasters,'';

(3) in subsection (c)(1), by inserting '', and the Postal Service and the postmasters organization (or organizations),'' after ''supervisors' organization'';

(4) in subsection (d)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting ''and the postmasters organization (or organizations)'' after ''the supervisors' organization'' both places it appears;

(ii) in subparagraph (B), by striking ''organization'' and inserting ''organizations''; and

(iii) in subparagraph (C), by striking ''organization'' and inserting ''organizations'';

(B) in paragraph (2)—

(i) in subparagraph (A), by inserting ''and the postmasters organization (or organizations)'' after ''supervisors' organization''; and

(ii) in subparagraph (B), by striking ''organization'' and inserting ''organizations'';

(C) in paragraph (3)—

(i) in subparagraph (A), by inserting ''and the postmasters organization (or organizations)'' after ''supervisors' organization''; and

(ii) in subparagraph (B), by striking ''organization'' and inserting ''organizations''; and

(D) in paragraph (4), by inserting '', and the Postal Service and the postmasters organization (or organizations),'';

(5) in subsections (e)—

(A) in paragraph (1), by inserting ''and the postmasters organization (or organizations)'' after ''supervisors' organization'';

(B) in paragraph (2), by inserting '', the postmasters organization (or organizations),'' after ''The Postal Service''; and

(C) in paragraph (3), by inserting ''and the postmasters organization (or organizations)'' after ''supervisors' organizations'';

(6) in subsection (h)—

(A) in paragraph (1), by striking ''and'' after the semicolon;

(B) in paragraph (2), by striking the period and inserting a semicolon; and

(C) by inserting after paragraph (2) the following:

''(3) 'postmasters organization' means, with respect to a calendar year, any organization whose membership on June 30th of the preceding year included not less than 20 percent of all individuals employed as postmasters on that date; and

''(4) 'postmaster' means an individual who is the manager-in-charge, with or without the assistance of subordinate managers or supervisors, the operations of a post office.''; and

(7) by redesignating subsection (h) as subsection (j), and inserting after subsection (g) the following:

''(h)(1) If, notwithstanding the mutual efforts required by subsection (e) of this section, the postmasters organization (or organizations), believes that the decision of the Postal Service is not in accordance with the provisions of this title, the organization may, within 10 days following its receipt of such decision, request the Federal Mediation and Conciliation Service to convene a fact-finding panel (in this subsection referred to as the 'panel') concerning such matter.

''(2) Within 15 days after receiving a request under paragraph (1) of this subsection, the Federal Mediation and Conciliation Service shall provide a list of 7 individuals recognized as experts in supervisory and managerial pay policies. The postmasters organization (or organizations) and the Postal Service shall each designate 1 individual from the list to serve on the panel. If, within 10 days after the list is provided, either of the parties has not designated an individual from the list, the Director of the Federal Mediation and Conciliation Service shall make the designation. The first 2 individuals designated from the list shall meet within 5 days and shall designate a third individual from the list. The third individual shall chair the panel. If the 2 individuals designated from the list are unable to designate a third individual within 5 days after their first meeting, the Director shall designate the third individual.

''(3)(A) The panel shall recommend standards for pay policies and schedules and fringe benefit programs affecting the members of the postmasters organization (or organizations) for the period covered by the collective bargaining agreement specified in subsection (e)(1) of this section. The standards shall be consistent with the policies of this title, including sections 1003(a) and 1004(a) of this title.

''(B) The panel shall, consistent with such standards, make appropriate recommendations concerning the differences between the parties on such policies, schedules, and programs.

''(4) The panel shall make its recommendation no more than 30 days after its appointment, unless the Postal Service and the postmasters organization (or organizations) agree to a longer period. The panel shall hear from the Postal Service and the postmasters organization (or organizations) in such a manner as it shall direct. The cost of the panel shall be borne equally by the Postal Service and the postmasters organization (or organizations), with the Service to be responsible for one-half the costs and the postmasters organization (or organizations) to be responsible for the remainder.

''(5) Not more than 15 days after the panel has made its recommendation, the Postal Service shall provide the postmasters organization (or organizations) its final decision on the matters covered by factfinding under this subsection. The Postal Service shall give full and fair consideration to the panel's recommendation and shall explain in writing any differences between its final decision and the panel's recommendation.

''(i) Not earlier than 3 years after the date of the enactment of this subsection, and from time to time thereafter, the Postal Service or the postmasters organization (or organizations) may request, by written notice to the Federal Mediation and Conciliation Service and to the other party, the creation of a panel to review the effectiveness of the procedures and the other provisions of this section and the provisions of section 1003 of this title. The panel shall be designated in accordance with the procedure established in subsection (h)(2) of this section. The panel shall make recommendations to Congress for changes in this title as it finds appropriate.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—

(1) SECTION HEADING.—The section heading for section 1004 of title 39, United States Code, is amended to read as follows:

''§ 1004. Supervisory, postmaster, and other managerial organizations''.

(2) TABLE OF SECTIONS.—The table of sections for chapter 10 of title 39, United States Code, is amended by striking the item relating to section 1004 and inserting the following:

''1004. Supervisory, postmaster, and other managerial organizations.''.

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall take effect 60 days after the date of enactment of this Act.

By Mr. BIDEN (for himself, Mr. KOHL, Mr. BINGAMAN, Mr. BAUCUS, Mrs. CLINTON, Ms. STABENOW, Mr. EDWARDS, Mr. SARBANES, Mrs. MURRAY, Mr. KERRY, Mr. LEAHY, Mr. LEVIN, Mr. DURBIN, Mr. LIEBERMAN, Mr. KENNEDY, Mr. HOLLINGS, Mr. NELSON of Nebraska, Ms. MIKULSKI, Mr. BAYH, Ms. CANTWELL, Mr. DORGAN, Mr. CONRAD, Mrs. FEINSTEIN, Mr. CORZINE, Mr. CARPER, Mr. JEFFORDS, Mr. JOHNSON, Mr. ROCKEFELLER, Mr. SMITH, Mr. DAYTON, Mr. AKAKA, Mr. REED, Mr. BREAUX, Mr. NELSON of Florida, Mr. HARKIN, Mr. SCHUMER, Mrs. BOXER, Mr. DODD, Mr. SPECTER, Ms. LANDRIEU, Mr. DASCHLE, Mr. BYRD, Mr. LAUTENBERG, Mr. PRYOR, Mrs. LINCOLN, and Mr. REID):

S 679. A bill to provide reliable officers, technology, education, community prosecutors, and training in our neighborhoods; to the Committee on the Judiciary.

Mr. BIDEN. Mr. President, I rise today to introduce legislation to reauthorize the COPS program through 2009.

Since September 11, our local police have been asked to do more for their communities than ever before. Walk the beat. Be on guard against terrorists. Secure critical infrastructures. And gather intelligence on future terrorist acts when possible. Washington has a role in securing the homeland, but the burdens fall heaviest on our local communities.

There are more than 700,000 police officers and sheriffs in the country, compared with nearly 11,000 FBI agents. It is our local police chiefs and sheriffs who are called upon more and more to protect us against the new threats from abroad. We had a sobering reminder this week. As President Bush braced the Nation for war in Iraq, Homeland Security Director Tom Ridge ratcheted our alert level back up to orange and called all 50 governors to request that they provide an increased police presence at airports.

Our mayors and police chiefs are hurting. Local budgets are incredibly tight—some communities have been forced to lay officers off, or to consider freeing criminals before their sentences are up, to cut costs. Even before 9/11, it was clear that the crime drop of the nineties was coming to a close. Last winter, the FBI reported that crime jumped for the second straight year. The FBI has had to necessarily refocus its resources. Recently, the Washington Post reported that the FBI has plans to ''mobilize as many as 5,000 agents to guard against terrorist attacks'' during hostilities with Iraq. The FBI's criminal surveillance operations ''would be temporarily suspended.'' Local police will be called upon to pick up the slack once the FBI is forced to pull almost half of its agents out of traditional crime-fighting work.

The fight to secure our streets does not end with preventing terrorism. Crime is up again. The newest figures tell us the historic crime drop the nation experienced during the 1990s is over. Property crimes—offenses that tend to jump in a week economy—are rising particularly fast. The FBI recently reported a 4 percent hike in burglaries and motor vehicle thefts last year alone. Where fighting violent crime and bank robberies used to be among the FBI's highest priorities, the FBI is now focused on counterterrorism efforts. Increasingly, local police departments, statewide crimefighting task forces and drug-fighting projects are being told by the Bush administration that they are on their own when it comes to fighting crime.

What's worse, all of this is happening during a time of unprecedented economic hardship in our cities and States. States are facing dramatic budgetary shortfalls. A new report finds that budget gaps for State governments soared by nearly 50 percent in the past three months and state legislatures face a minimum $68.5 billion budget shortfall for the coming fiscal year. Mayors nationwide report that cities spent $2.6 billion through the end of last year on new security costs.

The response of the administration to these concerns has been disappointing. This year, for the second budget cycle in a row, the President proposes to eliminate the COPS hiring program. COPS is the only initiative in the entire Federal Government that targets its resources directly towards police. There is no middleman. There is very little red tape. Police chiefs report they have never worked with such a responsive, effective Federal program. And yet the administration wants to shut it down.

Since we created COPS as part of the 1994 Crime Bill, the program has awarded grants to hire and redeploy 117,000 police officers to the streets. 87,300 are on the beat. In the most recent year of hiring grants, 2002, 4,400 officers were hired or redeployed.

The President's budget gives several justifications for shutting down COPS. First, the administration claims the program doesn't work, that it hasn't cut crime. That is a curious assertion. Crime dropped for seven straight years after COPS resources began to be put to use in cities and towns. There was a 28 percent drop in crime from 1994 to 2000.

Two studies support the assertion that COPS grants help cut crime. One, released just this past November by the American Society of Criminology, found that COPS hiring grants have ''resulted in significant reductions in local crime rates.'' In 2000, the urban Institute concluded that COPS has had a ''broad national impact'' on the levels and styles of policing, and that it provided ''significant support for the adoption of community policing around the country.''

It's not just criminologists and think tanks who agree with me that COPS works. Leading law enforcement officials share the view. Last year, our friend and former colleague Attorney General Ashcroft called COPS a ''miraculous sort of success.'' He said, ''it's one of those things that Congress hopes will happen when it sets up a program.'' At a conference last July, the Attorney General endorsed the theory that COPS cuts crime. ''Since law enforcement agencies began partnering with citizens through community policing, we've seen significant drops in crime rates,'' he noted.

The administration offers a second reason for wanting to eliminate COPS: The disparity between ''officers hired'' and ''officers funded''. Because COPS has funded 117,000 cops, but only 87,000 are on the street, the President argues, the program is not accountable. That assertion overlooks the operations of the Office of community Policing Services. Few Federal programs operate with as much oversight and internal review as does COPS. The disparity that seems to so concern the Administration is simple to explain: It takes time to hire a new cop. Once COPS awards a hiring grant, it can take anywhere from six to eighteen months to find, hire, train and deploy the new officer. There is no accounting problem. It is good public policy for police departments to take the appropriate amount of time to find suitable candidates for new community policing positions, and this discrepancy between officers funded and officers hired is the result.

Post 9/11, COPS is about much more than fighting crime. It's about homeland security. The Attorney General again said it best last July when he noted that ''COPS provides resources that reflect our national priority of terrorism prevention.'' The new assistant director at the FBI in charge of coordinating with local law enforcement agreed: ''The FBI fully understands that our success in the fight against terrorism is directly related to the strength of our relationship with our State and local partners.'' These aren't my words. They're the words of the top cops.

COPS does not just hire new officers. It requires these officers to practice community policing. Community policing is a philosophy that gives more power to line officers. They get assigned to fixed geographic areas. This decision-making power and neighborhood familiarity can be invaluable in a crisis, when relationships with community residents and the ability to make quick decisions is critical. Community relationships that come from COPS can also help unearth intelligence about potential terrorist actions.

By taking cops out of their cars and having them walk the streets, police

officers get to know the residents of the neighborhood where they're assigned. This has proven extremely effective at building trust and partnership between local police and the residents they protect. Community residents consistently sing the praises of community policing. It pays dividends by creating a climate in which neighborhood residents partner with police, not only providing police with valuable information about criminal activity in their neighborhood, but restoring overall confidence in the criminal justice system.

We need to continue the COPS program. The Justice Department reports that for the past several grant-making cycles, demand for new police hiring grants has outstripped available funds by a factor of almost three to one. To meet this need, the legislation I introduce today authorizes $600 million per year over the next 6 years, enough to hire up to 50,000 more officers. We have made this portion of the program more flexible: up to half of these hiring dollars can be used to help police departments retain those community police officers currently on payroll. In another change from current law, a portion of these funds can be used for officer training and education.

We make a key change to the current COPS program in the bill I introduce today. In response to the needs of first responders across the country, the bill authorizes a new, permanent COPS Overtime Program. This initiative, funded at up to $150 million per year for 6 years, will help ease the homeland security burdens faced by police departments across the country by reimbursing local police departments for the homeland security overtime expenses they incur. I was pleased that the Appropriations Committee included a 1-year, $60 million version of this program in the recently-passed omnibus appropriations bill. The permanent COPS Overtime Program in this bill builds on that appropriations provision.

The legislation also provides funding for new technologies, so law enforcement can have access to the latest high-tech crime fighting equipment to keep pace with today's sophisticated criminals. Also included are funds to help local district attorneys hire more community prosecutors. These prosecutors will expand the community justice concept and engage the entire community in preventing and fighting crime. The statistics we have on community prosecutions are quite promising, and we should increase the funds available to local prosecutors, a piece of our criminal justice puzzle that has too often gone overlooked.

I would like to thank the men and women of law enforcement for their service and heroism during these difficult times. They are up to the challenge, but we should support them any way we can. The bill I introduced today gives local police the support they deserve. I look forward to working with my colleagues to continue the COPS program.

By Mr. HATCH:

S. 680. A bill to amend the Internal Revenue Code of 1986 to enhance book donations and literacy; to the Committee on Finance.

Mr. HATCH. Mr. President, I rise today to introduce legislation designed to clarify and enhance the charitable contribution tax deduction for donations of excess book inventory for educational purposes. This proposal would simplify a complex area of the current law and eliminate significant roadblocks that now stand in the way of businesses with excess book inventory to donating those books to schools, libraries, and literacy programs, where they are much needed.

Unfortunately, our current tax law contains a major flaw when it comes to the donation of books that are excess inventory for publishers or booksellers. The tax benefits for donating such books to schools or libraries are often no greater than those of sending the books to the landfill. And, since it is generally cheaper and faster for a company to simply send the books to the dump, rather than go through the trouble and cost of finding donees, and of packing, storing, and shipping the books, it often ends up being more cost effective and easier for companies to truck the books to a landfill or recycling center.

While there are provisions in the current law where a larger deduction is available for the donation of excess books, many companies have found that the complexity and uncertainty of dealing with the requirements, regulations, and possible Internal Revenue Service challenges of the higher deduction serve as a real disincentive to making a contribution.

This is a sad situation, when one considers that many, if not most, of these books would be warmly welcomed by schools, libraries, and literacy programs.

The heart of the problem is that under the current law, the higher deduction requires that the donated books be used only for the care of the needy, the sick, or infants. This requirement makes it difficult for schools to qualify as donees and also frequently prohibits libraries and adult literacy programs from receiving such deductions. This is because these schools, libraries, and literacy programs often serve those who are not needy or are over the age of 18. Further complicating the issue, the valuation of donated book inventory has been the subject of ongoing disputes between taxpayers and the IRS. The tax code should not contain obstacles that provide disincentives to charitable donations of books that can enhance learning.

The bill I am introducing today addresses the obstacles of donating excess book inventory by providing a simple and clear rule whereby any donation of book inventory to a qualified school, library, or literacy program is eligible for the enhanced deduction. This means that booksellers and publishers would receive a higher tax benefit for donating the books rather than throwing them away and would thus be encouraged to go to the extra trouble and expense of seeking out qualified donees and making the contributions.

My home State of Utah, like the rest of the Nation, has a problem with illiteracy. According to the National Institute for Literacy, between 21 and 23 percent of the adult population of the United States, about 44 million people, are only at Level 1 literacy, meaning they can read a little but not well enough to fill out an application, read a food label, or read a simple story to a child. Another 25 to 28 percent of the adult population, or between 45 and 50 million people, are estimated to be at Level 2 literacy, meaning they can usually can perform more complex tasks such as comparing, contrasting, or integrating pieces of information but usually not higher level reading and problem-solving skills. Literacy experts tell us that adults with skills at Levels 1 and 2 lack a sufficient foundation of basic skills to function successfully in our society.

While this bill is not a cure-all for the tragedy of illiteracy, it will increase access to books, both for adults and for children. Our tax code should not encourage the destruction of perfectly good books while schools, libraries, and literacy programs go begging for them.

The Senate is already on record in unanimous support of this bill. During the floor debate on the Economic Growth and Tax Relief Reconciliation Act of 2001, I offered this proposal as an amendment, which was accepted without opposition. Unfortunately, the provision was dropped in the conference with the House. Moreover, the Finance Committee has also approved this provision, having included it in S. 476, the CARE Act, which is currently pending on the Senate calendar.

The Joint Committee on Taxation estimates this provision would decrease revenues to the Treasury by $283 million over a ten-year period. This estimate helps demonstrate the extent of the value of the books that are currently being discarded that could be utilized to help America's adults and children.

I hope our colleagues will join us in supporting this bill. It is wrong for our tax code to encourage book publishers to send books to the landfill instead of to the library. Let's correct this problem.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 680

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF BOOK INVENTORIES.

(a) IN GENERAL.—Section 170(e)(3) of the Internal Revenue Code of 1986 (relating to certain contributions of ordinary income and capital gain property) is amended by redesignating subparagraph (C) as subparagraph (D) and by inserting after subparagraph (B) the following new subparagraph:

''(C) SPECIAL RULE FOR CONTRIBUTIONS OF BOOK INVENTORY FOR EDUCATIONAL PURPOSES.—

''(i) CONTRIBUTIONS OF BOOK INVENTORY.—In determining whether a qualified book contribution is a qualified contribution, subparagraph (A) shall be applied without regard to whether—

''(I) the donee is an organization described in the matter preceding clause (i) of subparagraph (A), and

''(II) the property is to be used by the donee solely for the care of the ill, the needy, or infants.

''(ii) AMOUNT OF REDUCTION.—Notwithstanding subparagraph (B), the amount of the reduction determined under paragraph (1)(A) shall not exceed the amount by which the fair market value of the contributed property (as determined by the taxpayer using a bona fide published market price for such book) exceeds twice the basis of such property.

''(iii) QUALIFIED BOOK CONTRIBUTION.—For purposes of this paragraph, the term 'qualified book contribution' means a charitable contribution of books, but only if the requirements of clauses (iv) and (v) are met.

''(iv) IDENTITY OF DONEE.—The requirement of this clause is met if the contribution is to an organization—

''(I) described in subclause (I) or (III) of paragraph (6)(B)(i), or

''(II) described in section 501(c)(3) and exempt from tax under section 501(a) (other than a private foundation, as defined in section 509(a), which is not an operating foundation, as defined in section 4942(j)(3)), which is organized primarily to make books available to the general public at no cost or to operate a literacy program.

''(v) CERTIFICATION BY DONEE.—The requirement of this clause is met if, in addition to the certifications required by subparagraph (A) (as modified by this subparagraph), the donee certifies in writing that—

''(I) the books are suitable, in terms of currency, content, and quantity, for use in the donee's educational programs, and

''(II) the donee will use the books in its educational programs.

''(vi) BONA FIDE PUBLISHED MARKET PRICE.—For purposes of this subparagraph, the term 'bona fide published market price' means, with respect to any book, a price—

''(I) determined using the same printing and edition,

''(II) determined in the usual market in which such a book has been customarily sold by the taxpayer, and

''(III) for which the taxpayer can demonstrate to the satisfaction of the Secretary that the taxpayer customarily sold such books in arm's length transactions within 7 years preceding the contribution of such a book.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made after the date of the enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 95—COMMENDING THE PRESIDENT AND THE ARMED FORCES OF THE UNITED STATES OF AMERICA

Mr. FRIST (for himself, Mr. DASCHLE, Mr. WARNER, Mr. LEVIN, Mr. MCCONNELL, Mr. REID, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. ALLEN, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. BUNNING, Mr. BURNS, Mr. CAMPBELL, Ms. CANTWELL, Mr. CARPER, Mr. CHAFEE, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORNYN, Mr. CORZINE, Mr. CRAIG, Mr. CRAPO, Mr. DAYTON, Mr. DEWINE, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FITZGERALD, Mr. GRAHAM of Florida, Mr. GRAHAM of South Carolina, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mr. HOLLINGS, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MCCAIN, Ms. MIKULSKI, Mr. MILLER, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. NICKLES, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. TALENT, Mr. THOMAS, Mr. VOINOVICH, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 95

Whereas Saddam Hussein has failed to comply with United Nations Security Council Resolutions 678, 686, 687, 688, 707, 715, 949, 1051, 1060, 1115, 1134, 1137, 1154, 1194, 1205, 1284, and 1441;

Whereas the military action now underway against Iraq is lawful and fully authorized by the Congress in Sec. 3(a) of Public Law 107–243, which passed the Senate on October 10, 2002, by a vote of 77–23, and which passed the House of Representatives on that same date by a vote of 296–133;

Whereas more than 225,000 men and women of the United States Armed Forces are now involved in conflict against Iraq;

Whereas over 200,000 members of the Reserves and National Guard have been called to active duty for the conflict against Iraq and other purposes; and

Whereas the Senate and the American people have the greatest pride in the men and women of the United States Armed Forces, and the civilian personnel supporting them, and strongly support them in their efforts; Now, therefore, be it

Resolved That the Senate—

(1) commends and supports the efforts and leadership of the President, as Commander in Chief, in the conflict against Iraq;

(2) commends, and expresses the gratitude of the Nation to all members of the United States Armed Forces (whether on active duty, in the National Guard, or in the Reserves) and the civilian employees who support their efforts, as well as the men and women of civilian national security agencies who are participating in the military operations in the Persian Gulf region, for their professional excellence, dedicated patriotism and exemplary bravery;

(3) commends and expresses the gratitude of the Nation to the family members of soldiers, sailors, airmen, Marines and civilians serving in operations against Iraq who have borne the burden of sacrifice and separation from their loves ones;

(4) expresses its deep condolences to the families of brave Americans who have lost their lives in this noble undertaking, over many years, against Iraq;

(5) joins all Americans in remembering those who lost their lives during Operation Desert Shield and Operation Desert Storm in 1991, those still missing from that conflict, including Captain Scott Speicher, USN, and the thousands of Americans who have lost their lives in terrorist attacks over the years, and in the Global War on Terrorism; and

(6) expresses sincere gratitude to British Prime Minister Tony Blair and his government for their courageous and steadfast support, as well as gratitude to other allied nations for their military support, logistical support, and other assistance in the campaign against Saddam Hussein's regime.

SENATE RESOLUTION 96—TO EXPRESS THE SENSE OF THE SENATE THAT THE FEDERAL INVESTMENT IN PROGRAMS THAT PROVIDE HEALTH CARE SERVICES TO UNINSURED AND LOW-INCOME INDIVIDUALS IN MEDICALLY UNDERSERVED AREAS BE INCREASED IN ORDER TO DOUBLE ACCESS TO HEALTH CARE OVER THE NEXT 5 YEARS

Mr. BOND (for himself and Mr. HOLLINGS) submitted the following resolution; which was referred to the Committee on Appropriations.

S. RES. 96

Whereas the uninsured population in the United States is approximately 43,000,000 and is estimated to reach over 53,000,000 people by 2007;

Whereas nearly 80 percent of the uninsured population are members of working families who cannot afford health insurance or cannot access employer-provided health insurance plans;

Whereas minority populations, rural residents, and single-parent families represent a disproportionate number of the uninsured population;

Whereas the problem of health care access for the uninsured population is compounded in many urban and rural communities by a lack of providers who are available to serve both insured and uninsured populations;

Whereas community, migrant, homeless, and public housing health centers have proven uniquely qualified to address the lack of adequate health care services for uninsured populations, serving more than 5,000,000 uninsured patients in 2002;

Whereas health centers care for nearly 14,000,000 patients, including nearly 9,000,000 minorities, nearly 850,000 farmworkers, and almost 750,000 homeless individuals each year;

Whereas health centers provide cost-effective comprehensive primary and preventive care to uninsured individuals for nearly $1.00 per day, or $425 annually, and help to reduce the inappropriate use of costly emergency rooms and inpatient hospital care;