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House of Representatives

The House was not in session today. Its next meeting will be held on Monday, March 24, 2003, at 2 p.m.

Senate

FRIDAY, MARCH 21, 2003

The Senate met at 9:30 a.m. and was called to order by the Honorable CRAIG THOMAS, a Senator from the State of Wyoming.

The PRESIDING OFFICER. Today's prayer will be offered by Rev. Charles V. Antonicelli, St. Joseph's Church on Capitol Hill, Washington, DC.

PRAYER

The guest Chaplain offered the following prayer:

Almighty Father, we bow before Your majesty in thanksgiving and praise. Help us to remember always that all we have comes from You.

Dear Lord, our thoughts and prayers this day rightly turn to the men and women of our military who are in harm's way. We implore You to watch over them and keep them safe. Watch over all civilians, too, Lord, and protect them from harm.

We long for ''the tender compassion of our God'' so that ''the dawn from on high shall break upon us, to shine on those who dwell in darkness and the shadow of death, and to guide our feet into the way of peace.'' (Luke 1:78–79)

Gracious God, grant Your wisdom and love to all men and women of good will, especially those who serve in this Senate. Be their constant guide. Show them Your goodness today.

We ask this in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CRAIG THOMAS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, March 21, 2003.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CRAIG THOMAS, a Senator from the State of Wyoming, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. THOMAS thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning the Senate will resume consideration of S. Con. Res. 23, the concurrent budget resolution. The time until 9:45 a.m. will be used for debate, prior to the first vote which will begin promptly at 9:45.

ORDER OF PROCEDURE

I ask unanimous consent that following the first vote, the time until 10:45 be equally divided for debate between the chairman and ranking member or their designees; provided further that the next vote in the sequence begin at 10:45.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. Reserving the right to object.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. It is my understanding that the two leaders are scheduled to go to the White House. Is that the reason? I want to make sure everyone understands that the majority leader is going to do what he can to move this bill and the fact that there is this window is not going to happen during the rest of the day; is that right?

Mr. FRIST. That is correct. The Democratic leader and the majority leader will be meeting with the President of the United States for a period of about 30 minutes to discuss the war. There will be a pause, and then after 10:45 we would expect votes to occur with 10-minute intervals thereafter.

Mr. REID. How many votes are we going to have this morning before the majority leader is obligated to leave?

Mr. FRIST. There will be one vote at 9:45, and then we will depart. We will resume voting at 10:45 or thereabouts.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. FRIST. Mr. President, last night the chairman and ranking member of the Budget Committee reached an

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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agreement for the consideration of the first 10 amendments today. With the first 10 votes scripted, it will allow Members to review and prepare for the first couple of hours in the voting sequence.

I encourage Members who intend to offer amendments to notify the chairman or the ranking member so that their amendments can be placed in the sequence of votes. At this time, we are not encouraging further amendments. However, if Members feel compelled to offer them, I ask courtesy of that notification.

I remind all Senators that once the voting sequence begins at 10:45, Senators should remain in the Chamber or close by to avoid missing any votes. We will need to limit the votes in the sequence to 10 minutes each. We will stay until this resolution is completed. It may be a lengthy session today in order to conclude the process. I thank Members for their cooperation.

DEATH IN COMBAT

Mr. FRIST. In America this morning, there are several families who have awakened to the worst possible news: the death in combat of a father, a brother, or a son. In our thoughts and prayers today, I ask my colleagues to remember those who have sacrificed so much on the battlefields in the Persian Gulf. Every life is precious. Our mission goes on. Our military will complete the course our leaders have set. In the Senate and in everyday life, we should honor that sacrifice in how we comport ourselves.

Our service men and women are honorable, patriotic Americans, serving the cause of liberty, our liberty. I pray to God that we who have the honor to represent them continue to act in a manner worthy of them.

In this difficult time, I ask my colleagues to measure their words to remember those who are privileged to serve and to aspire to that same level of greatness. We will debate and we will disagree. We will differ in how we vote, but we are all Americans. The losses we have incurred will serve as a constant reminder for how fortunate we are for just that.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONGRESSIONAL BUDGET FOR THE U.S. GOVERNMENT FOR FISCAL YEAR 2004

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of S. Con. Res. 23, which the clerk will report.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 23) setting forth the congressional budget for the U.S. Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

Pending:

Schumer amendment No. 299, to provide immediate assistance to meet pressing homeland security needs by providing funding in 2003 for first responders, port security, bioterrorism preparedness and prevention, border security and transit security, the FBI; to restore the elimination of funding of the COPS program, firefighter equipment grants, Byrne Grants and Local Law enforcement grants; to provide a sustained commitment of resources for homeland security needs without reducing funding to other key domestic law enforcement and public safety priorities; and to reduce the deficit.

Brownback amendment No. 282, to express the sense of the Senate that a commission be established to review the efficiency of Federal agencies.

Conrad (for Feingold/Corzine) amendment No. 270, to set aside a reserve fund for possible military action and reconstruction in Iraq.

Breaux Amendment No. 339, to reduce tax cuts by $375 billion and to reduce projected deficits by $464 billion.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 9:45 will be equally divided between the chairman and the ranking member of the Budget Committee.

Who yields time?

Mr. REID. On behalf of Senator CONRAD, we yield time to the Senator from New York.

The ACTING PRESIDENT pro tempore. The Senator from New York.

AMENDMENT NO. 299

Mr. SCHUMER. Mr. President, the first vote will be on the amendment that I offered, along with many of my colleagues: Senator CLINTON, Senator DASCHLE, Senator BYRD, and Senator LIEBERMAN. It is the homeland security amendment that we debated. I remind my colleagues how important homeland security is, how we have to fight a good offense. Praise God, it seems as if that is going quite well in Iraq. It is also very important for us to fight defense and we have not been doing an adequate job.

I believe Senator COCHRAN will offer an alternative version later on today, but I would make two points about the Schumer amendment as opposed to the Cochran amendment. One is that the Cochran amendment is not as generous, as I understand it. I have just received it. It is even in this fiscal year, the 2003 fiscal year, when our police officers, our firefighters are hurting from one end of the country to the other, when our port security is not what it should be, when our rail security is not what it should be, the Cochran amendment is considerably lower.

I am sure if my colleagues go back and ask their police and fire departments which amendment they prefer, it is the Schumer amendment.

Second and more important, we have close to a $700 billion tax cut. We also have programs on education, on health care, on transportation, the FBI and everything else. The alternative amendment cuts every one of those. Are my colleagues going to tell their police departments that they are going to take away Byrne grants and COPS money to give them this money? Are they going to take away fire money to give them this money? Are they going to cut road building? Are they going to cut the FBI? Are they going to cut everything that is in function 920 to do homeland security? Just as we should not be pitting the defense and the money needed for our soldiers overseas against domestic needs like education, health care and transportation, we should not be pitting homeland security against that. I ask my colleagues to think about it. We have a huge tax cut. This amendment takes a very small amount—in a quick calculation—less than 1 or 2 percent of that tax cut.

Where should the money come from? I don't believe we are actually going to cut education any further, no matter what this budget resolution does. I don't believe we will cut health care any further. I don't think we will cut road building any further. They are stretched to the bone because of the necessities of the budget.

This amendment offers the real chance at homeland security. This is the amendment. To insist that every dollar of the tax cut must be sacrosanct while we sacrifice the rest of the Government—when your school boards come to you, when your hospitals come to you, when your construction companies come to you, and your Governors and mayors and, of course, your police chiefs and firefighters, are you going to say you let them down?

I urge, I hope, I pray; this is a time when we need unity. There is no problem, none whatever, with taking a small amount, a total over 10 years of $38 billion, a total of over $5 billion this fiscal year, 2003, and next year, 2004, getting to $8 billion, out of that tax cut because that will fund homeland security.

I urge my colleagues to vote for this amendment and stand up for their local police, their local firefighters, their local schools.

Mr. REID. Mr. President, the two leaders have agreed the second vote should start at 10:30 and I ask unanimous consent that that be the case.

Mr. NICKLES. I have no objection.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Oklahoma.

Mr. NICKLES. Mr. President, just for the information of our colleagues, we will have a vote to begin in a couple minutes on the Schumer amendment, and then the second vote will begin at 10:30 on the Cochran amendment that is also in relation to homeland security.

I urge my colleagues, with great respect, to oppose the Schumer amendment. His amendment would add $88 billion over 10 years for a variety of homeland security programs, law enforcement assistance. I contacted the

Secretary of Homeland Security, Mr. Ridge, and asked for their position on this amendment. I ask unanimous consent to have printed in the RECORD a letter from Secretary Ridge: ''The Administration opposes the pending Schumer amendment'' in the second paragraph.

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

DEPARTMENT OF HOMELAND SECURITY, OFFICE OF THE SECRETARY,
Washington, DC, March 21, 2003.

Hon. WILLIAM FRIST,
Senate Majority Leader,
Washington, DC.

DEAR SENATOR FRIST: I appreciate your leadership as Congress deliberates the FY 2004 Budget Resolution. I am writing to urge you and your colleagues to maintain an appropriate balance between adequate funding provided for homeland security programs, program levels that can be spent responsibly, and fiscal discipline.

The Administration opposes the pending Schumer amendment. Substantial additional funding levels in the Budget resolution could be diverted away from terrorism preparedness and into activities that are traditionally funded by state and local governments. Defending our homeland is not just about spending more money. We need to ensure that funding provided for ''homeland security'' is truly directed to programs that help protect America against terrorism—the President's FY 2004 Budget support these programs as does the Senate Budget Resolution.

The FY 2004 budget represents a doubling of funding for non-defense homeland security since the September 11th terrorist attacks. This year, the President is requesting $3,558 billion in First Responder funding for terrorism preparedness grants and training and assistance. The Budget also includes $4.8 billion for the Transportation Security Agency—this level will fund a complete airport screener workforce, maintain nearly 10,000 pieces of TSA screening equipment, ensure coverage on commercial aircraft with additional Federal Air Marshals, and assess methods for improved screening of air cargo on commercial flights. More than $1.6 billion is requested for biodefense research. Through this investment and the proposed BioShield initiative, the President is moving as quickly as possible to research, develop and procure bioterror countermeasures. The Budget also provides $6.7 billion for DHS's Bureau of Customs and Border Protection—this level will support the continued development of the comprehensive Entry/Exit system, infrastructure and technology investments including remotely operated infrared cameras to monitor isolated border areas, radiation detection and x-ray machines for inspecting cargo containers, and $62 million for the Container Security Initiative.

As I indicated on Wednesday, the President intends to send a supplemental appropriations request to Congress in the near future to support the homeland security efforts of state and local entities during this time of heightened threat.

Sincerely,

TOM RIDGE.

Mr. NICKLES. We have to decide, are we going to have individual Senators come here and say we know best, we ought to give the Secretary—this is a new Secretary, a new Department, where the funding for these items has more than doubled in the last 2 years—a very significant increase.

The increase we have this year over last year is 18.4 percent. In addition to that, when we vote on the Cochran amendment, we will be increasing funds for this function for fiscal year 2003, the year we are in, an additional $3.5 billion. That is more than enough to make up for any deficiencies in first responders and also gives additional money for other necessary items in homeland security. Senator COCHRAN will explain that amendment when we vote at 10:30.

I urge our colleagues to vote no on the Schumer amendment.

This amendment will have a 15-minute vote, and possibly the next amendment will have 15 minutes, and then we will have a series of rollcall votes. We have 10 amendments in the queue, and today we will possibly vote on a lot of amendments. We urge colleagues, particularly on the second round, to stay on the floor and to be as attentive as possible because we will try to stay to the 10-minute timeframe to accommodate as many amendments as are necessary.

I yield the floor.

Mr. SARBANES. Mr. President, I rise in strong support of the amendment offered by Senator SCHUMER that would provide $88 billion in desperately needed funding for homeland security efforts at the Federal, State, and local levels.

In the State of Maryland and across the Nation, State, local, and regional authorities have been called upon to meet the mounting challenges we face in strengthening our domestic security. Many of our local officials have accepted this challenge with great resolve, and there have been many improvements in protecting the American people against the increased dangers with which we now live.

Despite these efforts, homeland security enhancements remain woefully inadequate, and states, counties, and cities across the country are stretched to their financial limits. The U.S. Conference of Mayors and the National League of Cities estimate that over $3 billion has been spent by our cities toward terrorism preparedness. An editorial in today's Baltimore Sun highlights the serious costs incurred by the City of Baltimore, which are estimated at $12.5 million. Despite the City's best efforts, there remain serious concerns about its readiness for an attack. As the Sun asserts:

> [a]mong them are the inability of Baltimore County, Baltimore City, and the Maryland State Police to communicate on a single radio system. Also, many police departments lack sufficient tools for coping with a disaster, such as equipment to detect radiation.

With the commencement of engagement by United States military forces in Iraq, we stand united as a country and will rally behind the men and women of our armed forces to give them the support they deserve. We must and will remain steadfast and resolute in our strong backing of the courageous men and women who are being sent into harm's way. As we demonstrate our support for our troops overseas, however, we must not relent in our support for the men and women who stand ready to protect us each and every day on our own shores.

This past Monday evening, President Bush declared that ''[j]ust as we are preparing to ensure victory in Iraq, we are taking further actions to protect our homeland.'' In conjunction with the President's address to the nation, Homeland Security Secretary Tom Ridge announced the administration's decision to raise our threat assessment again to Level Orange. This time, however, the rise in threat level was accompanied by a broad plan to increase security across the country, dubbed ''Operation Liberty Shield.'' This call to our nation's domestic troops—our firefighters, policemen, and emergency medical personnel—will not go unheeded. As the events of September 11 so horribly demonstrated, these brave men and women place themselves in harm's way each and every day, and will continue to face any danger to protect the freedoms and the lives of innocent Americans. In a very real sense, our troops abroad and our first responders at home stand together to provide for our common defense.

Law enforcement agencies and fire departments across the nation have been stretched even further by Reserve call-ups. A study by the Department of Justice has estimated that 44 percent of law enforcement agencies have lost members to the war effort, and, according to estimates, 75 percent of the Nation's firehouses are home to reservists.

As we continue to ask more of our first responders, the administration has repeatedly undermined the critical efforts of these brave men and women by consistently refusing to provide the resources they need to do their jobs. Just as we have made a commitment to supporting our troops abroad and providing them with the most advanced equipment, we must make a more concrete Federal commitment to our first responders.

The Assistance to Firefighters Grant Program has been a highly successful effort to get much-needed Federal support directly to the nation's firehouses. The Republican budget proposal directs only $500 million to this critical program. This represents a $250 million cut from the amount enacted for the current fiscal year, and $400 million less than has been authorized by the Congress.

The National Fire Protection Agency, NFPA, has found that a minimum of four firefighters are needed to safely attack an interior structure fire. The congressionally mandated ''Needs Assessment of the U.S. Fire Service,'' published jointly by the Federal Emergency Management Agency and NFPA this past December, has shown that this personnel target is met in far too few cases. I have cosponsored legislation, introduced by Senator DODD, entitled the Staffing for Adequate Fire and

Emergency Response Act, or SAFER Act, which would create a grant program specifically for the hiring of new firefighters to address this need. Senator SCHUMER's amendment would provide $11 billion over ten years toward the FIRE and SAFER Acts.

The Republican budget we have before us also cuts programs for state and local law enforcement by over $1 billion. The Administration has proposed eliminating the Byrne Grant program, zero funding the COPS hiring program, ending the Local Law Enforcement Block Grant Program, canceling the COPS in Schools program, and slashing the COPS technology program. Senator SCHUMER's amendment would restore these unwise cuts.

This budget does little to address the inadequate safeguards to our Nation's 361 seaports. One frightening estimate suggests that, of the 6 million shipping containers that enter the country each year, only two percent are actually inspected. The Port of Baltimore, in my own State, is one of the busiest seaports in the nation, handling over 30 million tons of cargo each year.

Last November we took a significant first step in improving port security by passing the Maritime Transportation Security Act by an overwhelming margin. I joined 94 of my Senate colleagues in supporting the passage of this measure, and the bill was signed into law by President Bush soon thereafter. However, while the Administration and my Republican colleagues supported the mandates offered in this legislation, they have again failed in providing the funding to fulfill these commitments. The U.S. Coast Guard has estimated that the cost to the private sector for port security improvements called for in the legislation would total $4.4 billion. This budget's entire allocation for port security is a meager $200 million.

I want to turn for a moment to the security of our Nation's surface transportation systems. Roughly one-third of terrorist attacks worldwide target transportation systems. According to the Mineta Transportation Institute, surface transportation systems were the target of more than 195 terrorist attacks from 1997 to 2000. Clearly, there is an acute need to improve the security of our transportation infrastructure, and particularly our nation's transit systems—buses, subways, ferries and light rail—which carry 14 million Americans every workday. A recent GAO study identified significant security needs at our nation's transit agencies, where, according to the study, ''insufficient funding is the most significant challenge in making their transit systems as safe and secure as possible.'' In fact, at only eight of the transit agencies they visited, the GAO found over $700 million in identified security needs. And yet, the budget resolution demonstrates no commitment to helping transit systems become more secure. Despite the elevated risk levels we are currently experiencing, this budget provides only a minimal increase in Federal transit spending and dedicates no resources within the budget of the Transportation Security Administration for transit security. We owe it to our nation's transit riders to do more.

This week, the administration again pledged its support for increased funding for state and local governments toward homeland security. We have heard many of these pledges over the past year, and, unfortunately, the administration has repeatedly fallen short on its promises. The rhetoric of support for our nation's first responders and upgrades to our homeland security will continue to ring hollow if not accompanied by the resources desperately needed for these critical efforts.

I urge my colleagues to support Senator SCHUMER's amendment. If the Congress and the administration are to enact legislation signaling our commitment to securing the homeland, we must provide the resources to provide even the most basic levels of protection. We must demonstrate steely resolve in our efforts to protect our citizens and critical infrastructure, and this will not be achieved if the resources committed to the task are inadequate.

The PRESIDING OFFICER (Mr. VOINOVICH). The question is on agreeing to the Schumer amendment No. 299.

Mr. SCHUMER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. REID. I announce that the Senator from Georgia (Mr. MILLER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 65 Leg.]

YEAS—45

Akaka	Durbin	Leahy
Bayh	Edwards	Levin
Biden	Feingold	Lieberman
Bingaman	Feinstein	Lincoln
Boxer	Graham (FL)	Mikulski
Byrd	Harkin	Murray
Cantwell	Hollings	Nelson (FL)
Carper	Inouye	Pryor
Clinton	Jeffords	Reed
Conrad	Johnson	Reid
Corzine	Kennedy	Rockefeller
Daschle	Kerry	Sarbanes
Dayton	Kohl	Schumer
Dodd	Landrieu	Stabenow
Dorgan	Lautenberg	Wyden

NAYS—54

Alexander	Cochran	Graham (SC)
Allard	Coleman	Grassley
Allen	Collins	Gregg
Baucus	Cornyn	Hagel
Bennett	Craig	Hatch
Bond	Crapo	Hutchison
Breaux	DeWine	Inhofe
Brownback	Dole	Kyl
Bunning	Domenici	Lott
Burns	Ensign	Lugar
Campbell	Enzi	McCain
Chafee	Fitzgerald	McConnell
Chambliss	Frist	Murkowski
Nelson (NE)	Shelby	Sununu
Nickles	Smith	Talent
Roberts	Snowe	Thomas
Santorum	Specter	Voinovich
Sessions	Stevens	Warner

NOT VOTING—1

Miller

The amendment (No. 299) was rejected.

Mr. NICKLES. Mr. President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. (Mr. CHAFEE.) The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I thank my colleagues. That is the first vote. We will probably have several votes. We have already entered consent that the next vote will begin at 10:30. For the information of my colleagues, that will be on the Cochran amendment.

We allowed this amendment timeframe to extend. We are going to be much closer to enforcing the time limit of 10 minutes on the following votes. The next amendment will have a 15-minute time limit, but after that we expect to enforce the 10-minute time limit.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, so we can alert colleagues to what we are faced with today, we have over 100 amendments that have been noticed to the managers. At three amendments an hour, maybe a little more than that, four amendments an hour would be 25 hours; three amendments an hour, 35 hours. So we will ask colleagues to call us and let us know if their amendments are that important to them or that they could wait for another day. I urge colleagues to talk with their staffs and alert us as to amendments that do not need to be offered today. That is No. 1.

No. 2, when we get into this, we will need to do these votes 10 minutes apiece, as the chairman has indicated. We will have to be very disciplined to do that. That is the only way we can get through these amendments in a way that will allow us to complete business on any reasonable schedule. We need to put colleagues on notice that that is the way the day will have to go if we are going to get done.

I yield the floor.

Mr. NICKLES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NICKLES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURES PLACED ON CALENDAR—H.R. 5, H.R. 975, H.R. 1047, AND H.R. 1308

Mr. NICKLES. Mr. President, I understand there are four bills at the desk which are due for a second reading.

The PRESIDING OFFICER. The Senator is correct.

Mr. NICKLES. Mr. President, I ask unanimous consent that it be in order to read the titles of the bills en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the bills by title.

The legislative clerk read as follows:

A bill (H.R. 5) to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

A bill (H.R. 975) to amend title 11 of the United States Code, and for other purposes.

A bill (H.R. 1047) to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, and for other purposes.

A bill (H.R. 1308) to amend the Internal Revenue Code of 1986 to end certain abusive tax practices, to provide tax relief and simplification, and for other purposes.

Mr. NICKLES. Mr. President, I ask unanimous consent that the Senate proceed to the measures en bloc and object to further proceeding en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be placed on the calendar.

Mr. NICKLES. I thank the Chair.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NICKLES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NICKLES. Mr. President, I believe the next amendment in order is the Cochran amendment.

I yield to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

AMENDMENT NO. 369

Mr. COCHRAN. Mr. President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi (Mr. COCHRAN) proposes an amendment numbered 369.

Mr. COCHRAN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 23, line 15, increase the amount by $3,500,000,000.

On page 23, line 16, increase the amount by $1,575,000,000.

On page 23, line 20, increase the amount by $875,000,000.

On page 23, line 24, increase the amount by $525,000,000.

On page 24, line 3, increase the amount by $350,000,000.

On page 24, line 7, increase the amount by $175,000,000.

On page 4, line 14, increase the amount by $3,500,000,000.

On page 5, line 4, increase the amount by $1,575,000,000.

On page 5, line 5, increase the amount by $875,000,000.

On page 5, line 6, increase the amount by $525,000,000.

On page 5, line 7, increase the amount by $350,000,000.

On page 5, line 8, increase the amount by $175,000,000.

On page 5, line 17, decrease the amount by $1,575,000,000.

On page 5, line 18, decrease the amount by $875,000,000.

On page 5, line 19, decrease the amount by $525,000,000.

On page 5, line 20, decrease the amount by $350,000,000.

On page 5, line 21, decrease the amount by $175,000,000.

On page 46, line 20, increase the amount by $3,500,000,000.

On page 46, line 21, increase the amount by $1,575,000,000.

On page 47, line 6, increase the amount by $875,000,000.

On page 47, line 15, increase the amount by $525,000,000.

Mr. COCHRAN. Mr. President, this amendment will increase the fiscal year 2003 totals in the budget resolution to provide an additional $3.5 billion in funding for homeland security.

Based on information about possible terrorist attacks against U.S. interests, the Secretary of Homeland Security earlier this week raised the national threat alert level to orange, indicating a higher risk of terrorist attack. We must support the actions being taken across our country to mobilize Federal response assets, strengthen the protection of our transportation systems, tighten security at our borders and ports, increase public health preparedness, and improve the capabilities of first responders.

Secretary Ridge confirmed in a letter today that a supplemental appropriations request will be sent to Congress by the President in the near future to support homeland security efforts. This amendment will accommodate additional funding to meet these immediate homeland security needs, and I urge Senators to support it.

Mr. President, I ask unanimous consent that a copy of the letter I described addressed to the Honorable WILLIAM FRIST, Senate majority leader, from Tom Ridge be printed in the RECORD.

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

DEPARTMENT OF HOMELAND SECURITY,
Washington, DC, March 21, 2003.

Hon. WILLIAM FRIST,
Senate Majority Leader,
Washington, DC.

DEAR SENATOR FRIST: I appreciate your leadership as Congress deliberates the FY 2004 Budget Resolution. I am writing to urge you and your colleagues to maintain an appropriate balance between adequate funding provided for homeland security programs, program levels that can be spent responsibly, and fiscal discipline.

The Administration opposes the pending Schumer amendment. Substantial additional funding levels in the Budget resolution could be diverted away from terrorism preparedness and into activities that are traditionally funded by state and local governments. Defending our homeland is not just about spending more money. We need to ensure that funding provided for ''homeland security'' is truly directed to programs that help protect America against terrorism—the President's FY 2004 Budget supports these programs as does the Senate Budget Resolution.

The FY 2004 budget represents a doubling of funding for non-defense homeland security since the September 11th terrorist attacks. This year, the President is requesting $3,558 billion in First Responder funding for terrorism preparedness grants and training and assistance. The Budget also includes $4.8 billion for the Transportation Security Agency—this level will fund a complete airport screener workforce, maintain nearly 10,000 pieces of TSA screening equipment, ensure coverage on commercial aircraft of with additional Federal Air Marshals, and assess methods for improved screening of air cargo on commercial flights. More than $1.6 billion is requested for biodefense research. Through this investment and the proposed BioShield initiative, the President is moving as quickly as possible to research, develop and procure bioterror countermeasures. The Budget also provides $6.7 billion for DHS's Bureau of Customs and Border Protection—this level will support the continued development of the comprehensive Entry/Exit system, infrastructure and technology investments including remotely operated infrared cameras to monitor isolated border areas, radiation detection and x-ray machines for inspecting cargo containers, and $62 million for the Container Security Initiative.

As I indicated on Wednesday, the President intends to send a supplemental appropriations request to Congress in the near future to support the homeland security efforts of state and local entities during this time of heightened threat.

Sincerely,

TOM RIDGE,
Secretary.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, while the two managers are listening, we do not yet have a unanimous consent agreement that there will be 1 minute for each side prior to a vote. I am going to ask unanimous consent that that be the case.

Also, the two managers want to make sure the Chair enforces the 1-minute rule. The only way that can be enforced is that the Chair, when the minute is up, stops the person from speaking; otherwise, it runs into a minute and a half, 2 minutes, and we waste a great deal of time.

I ask unanimous consent that prior to each vote there be 1 minute on each side, and that be strictly enforced.

The PRESIDING OFFICER. Is there objection?

Mr. NICKLES. Mr. President, reserving the right to object, I would like to modify that. This consent agreement will be for this group of votes we now have planned.

Mr. REID. Not this vote right now.

Mr. NICKLES. For the 10 votes we have ordered, not necessarily for every vote we might have today. We will probably do that later.

The PRESIDING OFFICER. Does the Senator modify his request?

Mr. REID. That is fine.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NICKLES. I believe the Senator from New York wants to speak on the amendment.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I am surprised at and happy to support the Cochran amendment. Unlike what I had been told last night, it does not take the money out of 920. It rather adds the cap. It is $3.5 billion of homeland security money which we very much need.

I hasten to add, I do not think $3.5 billion is enough. Our amendment had over $5 billion, and it does not go into 2004 and the outyears. We have a long way to go on homeland security, but this is a good first step.

I am delighted to support the amendment, and I thank the Senator from Mississippi for helping us raise the amount of homeland security money.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, for the information of our colleagues, this will be a 15-minute vote. We plan on strictly enforcing this vote at 15 minutes. We plan on strictly enforcing the subsequent rollcall votes at 10 minutes.

The PRESIDING OFFICER. The question is on agreeing to the Cochran amendment No. 369.

Mr. NICKLES. I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. McCONNELL. I announce that the Senator from Tennessee (Mr. FRIST) is necessarily absent.

Mr. REID. I announce that the Senator from South Dakota (Mr. DASCHLE) and the Senator from Georgia (Mr. MILLER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 66 Leg.]

YEAS—97

Akaka	Clinton	Fitzgerald
Alexander	Cochran	Graham (FL)
Allard	Coleman	Graham (SC)
Allen	Collins	Grassley
Baucus	Conrad	Gregg
Bayh	Cornyn	Hagel
Bennett	Corzine	Harkin
Biden	Craig	Hatch
Bingaman	Crapo	Hollings
Bond	Dayton	Hutchison
Boxer	DeWine	Inhofe
Breaux	Dodd	Inouye
Brownback	Dole	Jeffords
Bunning	Domenici	Johnson
Burns	Dorgan	Kennedy
Byrd	Durbin	Kerry
Campbell	Edwards	Kohl
Cantwell	Ensign	Kyl
Carper	Enzi	Landrieu
Chafee	Feingold	Lautenberg
Chambliss	Feinstein	Leahy
Levin	Nickles	Snowe
Lieberman	Pryor	Specter
Lincoln	Reed	Stabenow
Lott	Reid	Stevens
Lugar	Roberts	Sununu
McCain	Rockefeller	Talent
McConnell	Santorum	Thomas
Mikulski	Sarbanes	Voinovich
Murkowski	Schumer	Warner
Murray	Sessions	Wyden
Nelson (FL)	Shelby	
Nelson (NE)	Smith	

NOT VOTING—3

Daschle	Frist	Miller

The amendment (No. 369) was agreed to.

Mr. COCHRAN. I move to reconsider the vote.

Mr. NICKLES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. NICKLES. Mr. President, I inquire of the Parliamentarian how long that rollcall lasted.

The PRESIDING OFFICER. It lasted 21½ minutes.

Mr. NICKLES. For the information of colleagues, the majority leader and minority leader were cut off; in the next vote we are going to cut off a lot of people if they are not here and voting within 10 minutes. I forewarn our colleagues. I will be fair and bipartisan. We will cut off people if they are not here to vote. We will limit the votes to 10 minutes.

AMENDMENT NO. 270

The next amendment in order is the Feingold amendment.

Mr. FEINGOLD. This amendment, which I offer with Senators CORZINE, DURBIN, GRAHAM of Florida, and HOLLINGS, would create a reserve fund to set aside $100 billion, an amount well within the range of available estimates, to fund military action and reconstruction in Iraq. We would pay for this by reducing the amount we would budget for tax cuts in the period covered by the budget resolution.

No one is certain how much the war with Iraq will actually cost, but we can be certain such a war will not be free. The Center for Strategic and Budgetary Assessments estimates that the total cost could range from $129 billion to $683 billion. Today's Wall Street Journal reports a supplemental appropriations request is expected shortly that will ask for $80 billion and that will cover just the first 30 days of the war. The day before yesterday the President said the war may be longer and more difficult than some predict.

Plainly, we are talking about a major enterprise and one for which we should budget. We are in a war. The budget must reflect it. This is no time for business as usual. We should prepare responsibly for that which is right before our eyes. I urge my colleagues to support the amendment.

Mr. NICKLES. Mr. President, I urge our colleagues to vote no on this amendment. We asked CRS to do a study on how we funded wars in the past, and did we do it in advance. Based on the examination of previous reviews, fronting for wars and other major military operations, it appears that Presidents have not requested and Congress has not provided funding for wars in advance of the start of operations; rather, administrations have requested funding after operations have begun and Congress has subsequently appropriated money to meet specific, documented budget requirements.

I urge my colleagues to vote no on the amendment.

The PRESIDING OFFICER (Mr. SUNUNU). The question is on agreeing to the Feingold amendment.

Mr. NICKLES. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk called the roll.

Mr. REID. I announce that the Senator from Georgia (Mr. MILLER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 67 Leg.]

YEAS—52

Akaka	Dorgan	Levin
Baucus	Durbin	Lieberman
Bayh	Edwards	Lincoln
Biden	Feingold	McCain
Bingaman	Feinstein	Mikulski
Boxer	Frist	Murray
Breaux	Graham (FL)	Nelson (FL)
Byrd	Harkin	Nelson (NE)
Cantwell	Hollings	Pryor
Carper	Inouye	Reed
Chafee	Jeffords	Reid
Clinton	Johnson	Rockefeller
Collins	Kennedy	Sarbanes
Conrad	Kerry	Schumer
Corzine	Kohl	Stabenow
Daschle	Landrieu	Wyden
Dayton	Lautenberg	
Dodd	Leahy	

NAYS—47

Alexander	Dole	Murkowski
Allard	Domenici	Nickles
Allen	Ensign	Roberts
Bennett	Enzi	Santorum
Bond	Fitzgerald	Sessions
Brownback	Graham (SC)	Shelby
Bunning	Grassley	Smith
Burns	Gregg	Snowe
Campbell	Hagel	Specter
Chambliss	Hatch	Stevens
Cochran	Hutchison	Sununu
Coleman	Inhofe	Talent
Cornyn	Kyl	Thomas
Craig	Lott	Voinovich
Crapo	Lugar	Warner
DeWine	McConnell	

NOT VOTING—1

Miller

The amendment (No. 270) was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, I enter a motion to reconsider the last vote.

The PRESIDING OFFICER. The motion is entered.

AMENDMENT NO. 300

The PRESIDING OFFICER. The clerk will report the next amendment.

The assistant legislative clerk read as follows:

The Senator from New Jersey [Mr. LAUTENBERG], for himself and Mr. SCHUMER, proposes an amendment numbered 300.

The amendment is as follows:

(Purpose: To restore national security funding)

At the end of Subtitle B of Title II, insert the following:

"SEC. ___. RESERVE FUND FOR NATIONAL SECURITY.

''In the Senate, the Chairman of the Committee on the Budget may increase aggregates, functional totals, allocations, and other appropriate levels in this resolution by up to $103,500 billion in Budget Authority and $88,036 billion in Outlays for fiscal years 2004 through 2013 for a bill, joint resolution, amendment, or conference report providing additional resources for defense or homeland security.''

On page 45, line 24, decrease the amount by $88,036,000,000.

On page 3, line 15, increase the amount by $4,303,000,000.

On page 3, line 16, increase the amount by $11,094,000,000.

On page 3, line 17, increase the amount by $17,704,000,000.

On page 3, line 18, increase the amount by $24,209,000,000.

On page 3, line 19, increase the amount by $30,726,000,000.

On page 4, line 6, increase the amount by $4,303,000,000.

On page 4, line 7, increase the amount by $11,094,000,000.

On page 4, line 8, increase the amount by $17,704,000,000.

On page 4, line 9, increase the amount by $24,209,000,000.

On page 4, line 10, increase the amount by $30,726,000,000.

On page 4, line 20, increase the amount by $6,500,000,000.

On page 4, line 21, increase the amount by $14,500,000,000.

On page 4, line 22, increase the amount by $21,000,000,000.

On page 4, line 23, increase the amount by $27,500,000,000.

On page 4, line 24, increase the amount by $34,000,000,000.

On page 5, line 10, increase the amount by $4,303,000,000.

On page 5, line 11, increase the amount by $11,094,000,000.

On page 5, line 12, increase the amount by $17,704,000,000.

On page 5, line 13, increase the amount by $24,209,000,000.

On page 5, line 14, increase the amount by $30,726,000,000.

On page 42, line 22, increase the amount by $6,500,000,000.

On page 42, line 23, increase the amount by $4,303,000,000.

On page 43, line 2, increase the amount by $14,500,000,000.

On page 43, line 3, increase the amount by $11,094,010,000.

On page 43, line 6, increase the amount by $21,000,000,000.

On page 43, line 7, increase the amount by $17,704,000,000.

On page 43, line 10, increase the amount by $27,500,000,000.

On page 43, line 11, increase the amount by $24,209,000,000.

On page 43, line 14, increase the amount by $34,000,000,000.

On page 43, line 15, increase the amount by $30,726,000,000.

The PRESIDING OFFICER. There are now 2 minutes evenly divided.

Mr. LAUTENBERG. Mr. President, my amendment establishes a reserve fund for national defense and homeland security. The amendment is necessary because the budget resolution actually cuts defense spending by $103 billion below the President's request over that 10-year window. That is according to CBO and SBC. From 2004 through 2008, the Republican budget assumes defense spending at the level requested by the President. But the last 5 years of the budget window, from 2009 through 2013, the Republican budget resolution cuts $103 billion below the level CBO estimates.

I ask that my friends on the Republican side of the aisle be very careful when they look at the Republican message. It says the Lautenberg amendment reduces the growth package by $103 billion in budget authority and $88 billion in outlays. They don't say that the budget comes from the tax cuts.

Mr. LIEBERMAN. Mr. President, today, as the hearts and minds of all Americans are with our brave men and women in uniform who are embarking on the most perilous of journeys, I rise to speak in support of Senator LAUTENBERG's amendment and fulfill what I see as one of the most important duties of any Senator.

The Constitution of the United States invests the President with the authority of the Commander in Chief, but it also establishes the Congress as the guarantor of the quality and size of the Army, the Navy, the Air Force, and the Marines because it is the Congress that authorizes the expenditure of moneys to fund the military. As Senators we have a great responsibility to watch over those who man the walls of our Nation's defenses.

Along the Iraq-Kuwait border the U.S. military is striking. Our Armed Forces are engaged the world over in a fight against terror. Our uniformed commanders have testified before us that not since the Second World War has the U.S. military been so dispersed; not since that conflict have our Armed Forces been engaged with the enemy in so many locales and climes. My colleagues and I on the Senate Armed Services Committee are aware of the difficulties our soldiers, sailors, airmen, and marines and their families face as a result of these strenuous deployments. We have applauded the Department of Defense's efforts to address the quality of life of its troops. Following in the best traditions of this Chamber, we have worked together in a truly bipartisan fashion to increase military pay levels. We have addressed spousal benefits and we will, in the upcoming months of this Congress, debate, and I hope determine once and for all the issue of concurrent receipt. Year after year we strive to provide funding to equip our forces with the most advanced technology the world has ever seen.

Therefore, Mr. President, as a member of the Senate Armed Services Committee, as a strong supporter of our Armed Forces, as one who recognizes the strain of current operations upon our force structure and the importance of maintaining funding levels for the Department presently and for the foreseeable future, I cannot agree with any proposal which will reverse the important gains that we have made.

I believe we must oppose any attempt to decrease essential funding for our national defense in order to paper over the fiscal havoc that the President's proposed tax cuts cause. It is irresponsible to, when we are at war, when the challenges that our men and women in uniform face are so omnipresent, contemplate slashing the future funds that will make it possible for them to maintain their dominance into the next decade.

I direct my colleagues' attention to the Senate Republican budget resolution, which cuts defense spending after 2009 by more than a $100 billion—$100 billion.

The resolution calls for a $6.5 billion drawdown in 2009 from the funding level that the Congressional Budget Office estimates as required for the maintenance of the 2008 spending levels. In 2010 that shortfall would be $15.5 billion. A year later it is a $21.0 billion shortfall. A year later it grows to $27.5 billion. By 2013 the amount is $34.0 billion.

And why? To try to correct the fiscal damage the tax cuts have put us in. Now, I think we are all in agreement with Chairman NICKLES that the record-setting deficits that will be the bitter fruit of the President's tax cuts need to be dealt with. But to deal with them by cutting moneys that will fuel our planes, feed our marines, steam our ships, and arm our weapons is unfortunate indeed. I challenge the proponents of this plan to go out into the Kuwaiti desert and stand in front of a U.S. platoon, and tell them that the future funding that is to secure them better communications gear or more money to fund training or better body armor is being cut. Cut because the Senate majority refuses to take the President to task for pursuing fiscally irresponsible tax cuts on the eve of a war, and in the midst of an international campaign against terror.

The amendment that I rise in support of offers another way. Let's carve out a $103.5 billion fund from the $1.4 trillion tax cut and use it to create a designated fund for the defense of our Nation's security. In doing so we will serve to offset the proposed reductions in defense spending set forth in the Budget Resolution. By our actions we will prevent the diversion of cash from accounts that fund the defense of this country to an ill-considered, nonstimulative tax cut.

We are at war. Our military, the most powerful professional armed force ever arrayed on the face of the earth is shouldering a heavy burden. To discuss cutting the very funding that will keep them the preeminent military force is more than poor politics—it is irresponsible. I like to think that what Lincoln called ''the better angels of our nature'' still, in these troubled times,

hold sway over our baser instincts. I urge you to support this amendment.

The PRESIDING OFFICER. Who yields time?

The Senator Oklahoma.

Mr. NICKLES. I urge my colleagues to vote no on the amendment. This is a good reason that maybe we should not have 10-year budgets. He assumes we should increase spending in some areas instead of defense, but there is not one line item that says 050. Nothing would increase money in defense under this resolution. It would increase taxes. It would increase spending, unspecified spending.

I urge my colleagues to vote no on the Lautenberg amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 300.

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Georgia (Mr. MILLER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 53, as follows:

[Rollcall Vote No. 68 Leg.]

YEAS—46

Akaka	Edwards	Lieberman
Bayh	Feingold	Lincoln
Biden	Feinstein	McCain
Bingaman	Graham (FL)	Mikulski
Boxer	Harkin	Murray
Byrd	Hollings	Nelson (FL)
Cantwell	Inouye	Pryor
Carper	Jeffords	Reed
Clinton	Johnson	Reid
Conrad	Kennedy	Rockefeller
Corzine	Kerry	Sarbanes
Daschle	Kohl	Schumer
Dayton	Landrieu	Stabenow
Dodd	Lautenberg	Wyden
Dorgan	Leahy	
Durbin	Levin	

NAYS—53

Alexander	Crapo	McConnell
Allard	DeWine	Murkowski
Allen	Dole	Nelson (NE)
Baucus	Domenici	Nickles
Bennett	Ensign	Roberts
Bond	Enzi	Santorum
Breaux	Fitzgerald	Sessions
Brownback	Frist	Shelby
Bunning	Graham (SC)	Smith
Burns	Grassley	Snowe
Campbell	Gregg	Specter
Chafee	Hagel	Stevens
Chambliss	Hatch	Sununu
Cochran	Hutchison	Talent
Coleman	Inhofe	Thomas
Collins	Kyl	Voinovich
Cornyn	Lott	Warner
Craig	Lugar	

NOT VOTING—1

Miller

The amendment (No. 300) was rejected.

AMENDMENT NO. 265

(Purpose: To eliminate tax cuts)

The PRESIDING OFFICER. The clerk will report the amendment No. 265.

The legislative clerk read as follows:

The Senator from South Carolina (Mr. HOLLINGS) proposes an amendment numbered 265.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in the RECORD of Tuesday, March 18, 2003, under ''Text of Amendments.'')

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

There will be 2 minutes of debate evenly divided.

Mr. HOLLINGS. Mr. President, if you turn to page 6 of the budget, you will see that for the fiscal year we are projecting going into the red $484 billion; for 2004, $582 billion; for 2005, $556 billion. So for the 3-year period, that is $1.5 trillion going into the red. That is $1.5 trillion of stimulus.

If anybody wants to talk growth, you know dividends and the estate tax are not going to stimulate anything. This is $l.5 trillion of stimulus. The only thing that grows in this budget is the debt. So for those who are responding to the needs of the country, trying to get us to sober up and get back on track and get ahold of ourselves and quit running these horrendous deficits and spending Social Security, vote aye; for those responding to the needs of the campaign, vote no.

Mr. NICKLES. Mr. President, I urge my colleagues to vote no on this amendment. This amendment says there will be no growth package. It implies a tax increase in 2011, 2012, and 2013. That means a 10-percent rate would go to 15 percent; the child credit that would be $1,000 will fall back to $500; the marriage penalty would be increased.

I urge my colleagues to vote no.

Mr. AKAKA. Mr. President, I rise today to voice my disagreement with the priorities set forth in the budget resolution we have been debating, and support for the amendments offered by my colleagues from South Carolina and New York, Senators HOLLINGS and SCHUMER. With our Nation at war, we must do all we can to support our troops, ensure that our homeland is secure, and continue our emphasis on significant domestic priorities, such as education and health care. This is why I believe it would be unwise to enact further tax cuts that would pit these priorities against each other for limited Federal dollars and lead us further down the path to fiscal irresponsibility.

We have commenced military operations against an enemy who has defied efforts at international diplomacy. Without a doubt, these efforts will come at substantial cost which is not reflected in this budget. Proponents must rely on budget tactics to show that we can allow additional tax cuts to be passed. I would like to associate my comments with those of my colleague from North Dakota, Senator CONRAD, who rightfully attempted to enforce patriotic pause on this very point.

This budget repudiates our commitment to fight the evil of terrorism within our own borders. It fails to adequately fund homeland security, which is why I am a cosponsor of the amendment offered by my friend from New York, Senator SCHUMER, who has requested that $88 billion be provided over 11 years for urgent homeland security needs, including immediate funding for those on the home front—first responders, firefighters, port, border and transportation security. I also applaud the provisions for bioterrorism preparedness and threat and critical infrastructure assessment. At a time when threats to U.S. civilians within our borders are very real, we must not abandon, for the sake of tax cuts, our resolve to ensure the peace of mind of families at home and individuals in their workplaces—many who are praying for loved ones fighting in our armed services abroad.

This resolution calls for tax cuts that will do nothing to stimulate the economy, but would worsen the progressivity of the Tax Code. It would also rob our most important investment of required resources, and that is the investment in the education of America's children. We should be sending the message to our children that we will do all we can to give them the knowledge and tools to be able to meet future challenges that will face this country, when we in this body are long gone. Instead, if we pass additional tax cuts, we are saying that we will place political gain over a solid start in life for young Americans. This is why I voted for the amendment proposed by my colleague from Washington State, Senator MURRAY, along with others, that would have provided an $8.9 billion increase in education funding, as well as $8.9 billion for deficit reduction out of funding designated for tax cuts. This funding increase sought to fully fund the No Child Left Behind Act. We only began to fulfill some of the promises we made in passing this sweeping education reform law through the fiscal year 2003 appropriations process. We cannot let this investment waver in fiscal year 2004.

Finally, I oppose efforts to decrease Federal revenues sorely needed to ensure that all Medicare beneficiaries have access to the comprehensive prescription drug program that they deserve. Far too many seniors are currently unable to afford the costs of the prescription drugs that their doctors prescribe. Seniors must be able to obtain meaningful prescription drug coverage through the traditional Medicare Program. I supported the amendment sponsored by my colleagues, Senators BOB GRAHAM, DORGAN, and STABENOW, which would have made sure that a Medicare prescription drug benefit is adequately funded, by increasing the Medicare reserve fund by approximately $220 billion. The amendment

would also have guaranteed that participants in traditional Medicare receive the same prescription drug benefit as beneficiaries that enroll in private Medicare health plans. The funding should be included in the budget resolution to adequately protect our Nation's seniors against the increasing costs of prescription drugs instead of to accommodate additional tax cuts. The Graham-Dorgan-Stabenow amendment would have reduced the size of the tax cuts in the budget resolution by approximately $400 billion and provided a clear choice between additional tax cuts or a meaningful prescription drug benefit.

The time has come to face our fiscal responsibilities honestly. Tax cuts are not the answer at this point in our Nation's history. I join with Senator HOLLINGS and other colleagues in opposition to the passage of additional tax cuts that would steal much needed revenues at a time of great need. I owe it to the people of Hawaii and we owe it to the people of America.

Mr. HOLLINGS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Georgia (Mr. MILLER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 22, nays 77, as follows:

[Rollcall Vote No. 69 Leg.]

YEAS—22

Akaka	Durbin	Kennedy
Biden	Feingold	Lautenberg
Boxer	Feinstein	Leahy
Byrd	Graham (FL)	Levin
Carper	Harkin	Rockefeller
Chafee	Hollings	Sarbanes
Corzine	Inouye	
Dodd	Jeffords	

NAYS—77

Alexander	Dole	Mikulski
Allard	Domenici	Murkowski
Allen	Dorgan	Murray
Baucus	Edwards	Nelson (FL)
Bayh	Ensign	Nelson (NE)
Bennett	Enzi	Nickles
Bingaman	Fitzgerald	Pryor
Bond	Frist	Reed
Breaux	Graham (SC)	Reid
Brownback	Grassley	Roberts
Bunning	Gregg	Santorum
Burns	Hagel	Schumer
Campbell	Hatch	Sessions
Cantwell	Hutchison	Shelby
Chambliss	Inhofe	Smith
Clinton	Johnson	Snowe
Cochran	Kerry	Specter
Coleman	Kohl	Stabenow
Collins	Kyl	Stevens
Conrad	Landrieu	Sununu
Cornyn	Lieberman	Talent
Craig	Lincoln	Thomas
Crapo	Lott	Voinovich
Daschle	Lugar	Warner
Dayton	McCain	Wyden
DeWine	McConnell	

The amendment (No. 265) was rejected.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, the next two amendments that are in order are the Sarbanes amendment and the Crapo amendment. I believe they have been able to work something out. I thank them for that. We will save considerable time. I yield to the Senator from Maryland for a comment.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. Mr. President, I will be very quick. Senator CRAPO and I have been in discussions. We have reached an accord which will enable the managers to accept the amendment. This is directed to providing additional funding for the State revolving fund dealing with clean water and safe drinking water. There is an overwhelming need. The Federal involvement is a leveraging involvement for State and local governments to help address this important issue.

I am pleased to work with Senator CRAPO. We have come to a positive conclusion.

Mr. NICKLES. Mr. President, I ask unanimous consent to withdraw the Sarbanes amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NICKLES. Mr. President, I yield to the Senator from Idaho for his amendment.

AMENDMENT NO. 317

The PRESIDING OFFICER. The Senator is recognized for 1 minute.

Mr. CRAPO. Mr. President, I also appreciate Senator SARBANES and the other Senators in the Chamber who are so involved in working on this critical issue. Our water infrastructure needs in this Nation are crying out for attention. This is one of those areas we have to address in the budget. We have the kind of need that requires us to be focused and unified.

I am very pleased we were able to come together on an amendment today that will help us begin the process of addressing the crying need in our Nation's infrastructure for water systems.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I am not sure we called up the Crapo amendment. We withdraw the Sarbanes amendment. I do not believe we called up the Crapo amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Idaho [Mr. CRAPO], for himself and Mr. SARBANES, proposes an amendment numbered 317.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I ask unanimous consent that the Crapo-Sarbanes amendment be modified to include Senator SARBANES as a cosponsor. I thank my friend and colleague from Maryland for his leadership and willingness to work together. I am glad we can accept it, and I think we can have a voice vote.

Mr. BYRD. Mr. President, may we hear the reading of the amendment?

The PRESIDING OFFICER. The clerk will read the amendment.

Mr. BYRD. Or reading can be dispensed with. We have not heard the reading of the amendment.

The PRESIDING OFFICER. The clerk will read the amendment.

The legislative clerk read as follows:

The Senator from Idaho [Mr. CRAPO] proposes an amendment numbered 317.

Mr. CRAPO. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To increase funding for the EPA for Clean Water State Revolving Fund and the Safe Drinking Water State Revolving Fund)

On page 16, line 11, increase the amount by $3,009,000,000.

On page 16, line 12, increase the amount by $150,000,000.

On page 16, line 16, increase the amount by $451,000,000.

On page 16, line 20, increase the amount by $903,000,000.

On page 16, line 24, increase the amount by $903,000,000.

On page 17, line 3, increase the amount by $451,000,000.

On page 42, line 2, decrease the amount by $3,009,000,000.

On page 42, line 3, decrease the amount by $150,000,000.

On page 42, line 7, decrease the amount by $451,000,000.

On page 42, line 11, decrease the amount by $903,000,000.

On page 42, line 15, decrease the amount by $903,000,000.

On page 42, line 19, decrease the amount by $451,000,000.

Mr. JEFFORDS. Mr. President, I am pleased to be a cosponsor of the amendment offered by the Senators from Maryland and the Senator from Florida.

Today, we know that our Nation's waters are at risk. We have made progress since the days of the early 1970s when textile mills in Vermont turned river water the ''color of the day'' that was being used in the mill. It is almost unimaginable that wastewater would move directly from homes and businesses, untreated, into our rivers and streams.

Our towns and cities, along with the Federal Government, have invested billions of dollars over the last 30 years to build the infrastructure to treat our wastewater and drinking water. However, even with those investments, we continue to fail to fully protect our waters from pollution.

The EPA estimates that over 40 percent of our Nation's waters are impaired. That is close to half of our Nation's waters. Lingering problems such as combined sewer overflows and ongoing challenges such as nonpoint source pollution continue to require our attention.

The progress we have made over the last 30 years stands on the brink of evaporation as the extensive water and wastewater infrastructure we have built is nears the end of its useful life. There are a number of estimates of the current funding gap in the areas of water and wastewater infrastructure.

The EPA estimates a $535 billion gap between current spending and projected needs for water and wastewater infrastructure over the next 20 years if additional investments are not made.

According to the Congressional Budget Office, the spending gap for clean water needs is estimated to be between $132 billion and $388 billion over 20 years and the spending gap for drinking water needs at between $70 billion and $362 billion over 20 years.

It is not solely the Federal Government's responsibility to fill this gap.

However, it is the Federal Government's responsibility to provide a reasonable investment in water infrastructure, given the size of the anticipated needs. The budget before us today fails to meet that responsibility. Those supporting the budget will say that it provides level funding for the Clean Water and the Drinking Water SRF.

They will say that the President's budget had such a low request for the Clean Water SRF in particular—one-half of traditional funding levels—that the funding level in this budget is an accomplishment.

The fact that the President failed to recognize our water infrastructure needs and requested such an inadequate amount of funding does not justify the same failure by the Congress.

I know that many Members of the Senate share this view. In December 2002, Senators SARBANES and VOINOVICH and 38 Members of the Senate from both sides of the aisle sent a letter to the President asking him to provide $3.2 billion for the Clean Water SRF and $2 billion for the Drinking Water SRF.

I ask unanimous consent that this letter be printed in the RECORD.

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

U.S. SENATE,
Washington, DC, December 10, 2002.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: As you prepare your fiscal 2004 budget, we urge you to make investment in clean water infrastructure a top environmental and public health priority. Specifically, we ask that you provide for at least a $3.1 billion increase above the Fiscal 2003 request of $2.1 billion in the Clean Water and Safe Drinking Water State Revolving Funds (SFR) to help states and local communities meet water quality standards and restore the health and safety of our nation's waters.

This year marks the 30th Anniversary of the landmark Clean Water Act. Despite important progress over the last three decades, more than 40 percent of our nation's lakes, rivers and streams are still too impaired for fishing or swimming. Discharges from aging and failing sewerage systems, urban storm water and other sources, continue to pose serious threats to our nation's waters, endangering not only public health, but fishing and recreation industries. Population growth and development are placing additional stress on the nation's water infrastructure and its ability to sustain hard-won water quality gains. Today, maintaining clean, safe water remains one of our greatest national and global challenges.

On September 30, 2002, the Environmental Protection Agency (EPA) released a Clean Water and Drinking Water Infrastructure Gap Analysis which found that there will be a $535 billion gap between current spending and projected needs for water and wastewater infrastructure over the next 20 years if additional investments are not made. This figure does not even account for investments necessary to meet water quality goals in nutrient impaired waters. As Administrator Whitman pointed out, ''(t)he magnitude of the challenge America faces is clearly beyond the ability of any one entity to address.''

It is vital that the Federal government maintain a strong partnership with states and local governments in averting this massive projected funding gap and share in the burden of maintaining and improving the nation's water infrastructure. An increase in funding for the Clean Water SRF to $3.2 billion and for the Drinking Water SRF to $2 billion in fiscal 2004 is the first step necessary to meet the Federal government's longstanding commitment in this regard.

Thank you for your consideration. The Administration's leadership is needed to ensure that our communities' water resources are kept clean and safe.

Sincerely,

Paul S. Sarbanes; Jack Reed; Jim Jeffords; Carl Levin; John F. Kerry; George V. Voinovich; Susan Collins; Jeff Bingaman; Barbara A. Mikulski; Arlen Specter.

John Breaux; Debbie Stabenow; Tom Harkin; Jon S. Corzine; Evan Bayh; Lincoln Chafee; Gordon Smith; Blanch L. Lincoln; Ted Kennedy; Chris Dodd; Mike DeWine; Hillary Rodham Clinton.

Ron Wyden; John Rockefeller; Barbara Boxer; Joe Biden; Maria Cantwell; J. Lieberman; Dick Durbin; Mark Dayton; Dianne Feinstein; Olympia Snowe.

Patrick Leahy; George Allen; Robert C. Byrd; Tom Daschle; Chuck Schumer; Tom Carper.

Mr. JEFFORDS. Mr. President, the President ignored this request.

On March 7, I joined Senators SARBANES, VOINOVICH, and thirty-seven Members from both sides of the aisle in sending a letter to the Budget Committee asking for these same funding levels.

I ask unanimous consent that this letter be printed in the RECORD.

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

U.S. SENATE,
Washington, DC, March 7, 2003.

Hon. DON NICKLES,
Chairman, Senate Budget Committee.
Hon. KENT CONRAD,
Ranking Member, Senate Budget Committee.

DEAR SENATORS NICKLES AND CONRAD: As you prepare the fiscal year 2004 budget, we urge you to make clean water and drinking water infrastructure a top environmental and health priority. Specifically, we ask that you provide for at least a $3.5 billion increase above the fiscal year 2004 request of $1.7 billion for the Clean Water and Safe Drinking Water Revolving Funds (SRF) to help states and local communities meet water quality standards and restore the health and safety of our nation's waters.

Despite important progress over the last three decades, the Environmental Protection Agency reports that more than 40 percent of our nation's lakes, rivers, and streams are still too impaired for fishing or swimming. Discharges from aging and failing sewage systems, urban storm water and other sources continue to pose serious threats to our nation's waters, endangering not only public health, but also fishing and recreation industries. Population growth and development are placing additional stress on the nation's water infrastructure and its ability to sustain hard-won water quality gains. Today, maintaining clean, safe water remains one of our greatest national and global challenges.

On September 30, 2002, the EPA released a Clean Water and Drinking Water Infrastructure Gap Analysis which found that there will be a $535 billion gap between current spending and projected needs for water and wastewater infrastructure over the next 20 years if additional investments are not made. As Administrator Whitman pointed out,'' . . . (t)he magnitude of the challenge America faces is clearly beyond the ability of any one entity to address.''

In May 2002, the Congressional Budget Office released a report that estimated the spending gap for clean water needs between $132 billion and $388 billion over 20 years and the spending gap for drinking water needs at between $70 billion and $362 billion over 20 years.

We are now writing to you asking that the Senate Budget Committee take the first steps needed to demonstrate leadership in helping our communities' keep our water resources clean and safe by increasing the budget allocation for Clean Water and Drinking Water SRFs to $5.2 billion.

It is vital that the Federal government maintains a strong partnership with states and local governments in averting this massive projected funding gap and share in the burden of maintaining and improving the nation's water infrastructure. An increase in funding for the Clean Water SRF to $3.2 billion and for the Drinking Water SRF to $2 billion in fiscal year 2004 is the first step necessary to meet the Federal government's longstanding commitment in this regard.

Thank you for your consideration.

Sincerely,

Jim Jeffords; George Voinovich; Tom Daschle; Ted Kennedy; John F. Kerry; George Allen; Carl Levin; Paul Sarbanes; Bob Graham; Lincoln Chafee; Olympia Snowe; Hillary Rodham Clinton; Patrick Leahy; Mike DeWine.

Jack Reed; Barbara A. Mikulski; John Breaux; Debbie Stabenow; Arlen Specter; Max Baucus; Barbara Boxer; Joe Biden; Daniel K. Akaka; Christopher Dodd; Charles Schumer; Joseph Lieberman; John Rockefeller; Jeff Bingaman; Blanche Lincoln; Dick Durbin; Susan Collins; Harry Reid; John Warner; Maria Cantwell.

Mr. JEFFORDS. Mr. President, the committee responded and provided a slight increase over the President's request. I thank the committee for that.

However, that slight increase comes nowhere close to meeting the huge water infrastructure funding gap. It comes nowhere close to meeting the funding levels that were endorsed twice by over one-third of the Senate.

Now is the time to increase funding for water infrastructure, not decrease it. We have the opportunity today to make an investment in our Nation's water infrastructure that will protect the gains we have made in the last 30 years. Without this investment, we run the risk of actually increasing the number of polluted waters in the country.

Before I close, I want to say a word about the economy. We must take action to prevent our economy from faltering. Investment in water infrastructure is estimated to create 40,000 jobs for every billion dollars invested. We are proposing to invest $5.2 billion in the State revolving funds. The States will provide a 20 percent match of just over $1 billion. This could create up over 200,000 jobs.

I urge my colleagues to support the amendment proposed by the Senator of Maryland.

By voting aye on this amendment, we can take direct action to improve both the State of our Nation's waters and the state of our Nation's economy.

Mr. BOND. Mr. President, I support my friend's amendment to increase Federal funding to $5.2 billion next year to help local communities provide our families and businesses with safe drinking water and clean waste water.

Our water pipes are aging and falling into disrepair. New regulations to treat stormwater are placing a huge burden on localities. Growth across the country, especially in the South and West, requires additional water funding.

In my own State of Missouri, we have small communities such as Pickering of no more than 150 people that still lack sewer systems. Mid-size cities such as Lebanon have tripled water rates and still can't afford new EPA regulations. Even our large cities such as St. Louis face many of the problems our aging eastern urban areas face. A recent series of articles in the St. Louis Post Dispatch highlighted St. Louis still using sewer pipes more than 100 years old and made of wood.

This crisis is too great for local communities to bear alone. Experts estimate the funding gap between what we as a Nation contribute and what is needed to clean and provide safe water at $500 billion over 20 years.

That's $25 billion per year. The Federal Government can't close that gap alone, but we must provide more than the current paltry $2.2 billion per year.

I urge my colleagues to support the Crapo amendment to increase vital water funds without depriving our citizens of their much deserved tax relief to spur economic growth, create jobs, and indirectly increase revenue for Government at all levels.

The PRESIDING OFFICER. Is there further debate on the amendment?

The question is on agreeing to amendment No. 317.

The amendment (No. 317) was agreed to.

Mr. SARBANES. I move to reconsider the vote.

Mr. NICKLES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. NICKLES. Mr. President, I thank both our colleagues. We just saved at least 30 minutes. I thank them both very much for their cooperation.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I, too, thank our colleagues. Maybe this serves as a good example of how we might proceed.

AMENDMENT NO. 376

Mr. CONRAD. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The senior assistant bill clerk read as follows:

The Senator from North Dakota [Mr. CONRAD] proposes an amendment numbered 376.

Mr. CONRAD. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide full funding for the Individuals with Disabilities Education Act (IDEA) part B grants over ten years by reducing tax breaks for the wealthiest taxpayers)

On page 3, line 10, increase the amount by $35,000,000.

On page 3, line 11, increase the amount by $1,173,000,000.

On page 3, line 12, increase the amount by $2,835,000,000.

On page 3, line 13, increase the amount by $4,585,000,000.

On page 3, line 14, increase the amount by $6,335,000,000.

On page 3, line 15, increase the amount by $8,085,000,000.

On page 3, line 16, increase the amount by $9,835,000,000.

On page 3, line 17, increase the amount by $11,585,000,000.

On page 3, line 18, increase the amount by $13,335,000,000.

On page 3, line 19, increase the amount by $15,078,000,000.

On page 4, line 1, increase the amount by $35,000,000.

On page 4, line 2, increase the amount by $1,173,000,000.

On page 4, line 3, increase the amount by $2,835,000,000.

On page 4, line 4, increase the amount by $4,585,000,000.

On page 4, line 5, increase the amount by $6,335,000,000.

On page 4, line 6, increase the amount by $8,085,000,000.

On page 4, line 7, increase the amount by $9,835,000,000.

On page 4, line 8, increase the amount by $11,585,000,000.

On page 4, line 9, increase the amount by $13,335,000,000.

On page 4, line 10, increase the amount by $15,078,000,000.

On page 4, line 15, increase the amount by $1,750,000,000.

On page 4, line 16, increase the amount by $3,500,000,000.

On page 4, line 17, increase the amount by $5,250,000,000.

On page 4, line 18, increase the amount by $7,000,000,000.

On page 4, line 19, increase the amount by $8,750,000,000.

On page 4, line 20, increase the amount by $10,500,000,000.

On page 4, line 21, increase the amount by $12,250,000,000.

On page 4, line 22, increase the amount by $14,000,000,000.

On page 4, line 23, increase the amount by $15,750,000,000.

On page 4, line 24, increase the amount by $17,131,000,000.

On page 5, line 5, increase the amount by $35,000,000.

On page 5, line 6, increase the amount by $1,173,000,000.

On page 5, line 7, increase the amount by $2,835,000,000.

On page 5, line 8, increase the amount by $4,585,000,000.

On page 5, line 9, increase the amount by $6,335,000,000.

On page 5, line 10, increase the amount by $8,085,000,000.

On page 5, line 11, increase the amount by $9,835,000,000.

On page 5, line 12, increase the amount by $11,585,000,000.

On page 5, line 13, increase the amount by $13,335,000,000.

On page 5, line 14, increase the amount by $15,078,000,000.

On page 25, line 16, increase the amount by $1,750,000,000.

On page 25, line 17, increase the amount by $35,000,000.

On page 25, line 20, increase the amount by $3,500,000,000.

On page 25, line 21, increase the amount by $1,173,000,000.

On page 25, line 24, increase the amount by $5,250,000,000.

On page 25, line 25, increase the amount by $2,835,000,000.

On page 26, line 3, increase the amount by $7,000,000,000.

On page 26, line 4, increase the amount by $4,585,000,000.

On page 26, line 7, increase the amount by $8,750,000,000.

On page 26, line 8, increase the amount by $6,335,000,000.

On page 26, line 11, increase the amount by $10,500,000,000.

On page 26, line 12, increase the amount by $8,085,000,000.

On page 26, line 15, increase the amount by $12,250,000,000.

On page 26, line 16, increase the amount by $9,835,000,000.

On page 26, line 19, increase the amount by $14,000,000,000.

On page 26, line 20, increase the amount by $11,585,000,000.

On page 26, line 23, increase the amount by $15,750,000,000.

On page 26, line 24, increase the amount by $13,335,000,000.

On page 27, line 2, increase the amount by $17,131,000,000.

On page 27, line 3, increase the amount by $15,078,000,000.

Strike Section 211 and insert in its place the following:

SEC. 211. RESERVE FUND FOR THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

The Chairman of the Committee on the Budget shall, in consultation with the Members of the Committee on the Budget and the Chairman and Ranking Member of the appropriate committee, increase the allocations pursuant to section 302(a) of the Congressional Budget Act of 1974 to the Committee on Health, Education, Labor, and Pensions of the Senate by up to $1,750,000,000 in new budget authority and $35,000,000 in outlays for fiscal year 2004, $26,250,000,000 in new budget authority and $14,963,000,000 in outlays for the total of fiscal years 2004 through 2008, and $95,881,000,000 in new budget authority and $72,880,000,000 in outlays for the total of fiscal years 2004 through 2013, for a bill, amendment, or conference report that would provide increased funding for part B grants, other than section 619, under the Individuals with Disabilities Education Act (IDEA), with the goal that funding for these grants, when

taken together with amounts provided by the Committee on Appropriations, provides 40 percent of the national average per pupil expenditure for children with disabilities in the tenth year.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. I thank the Chair. Mr. President, this amendment moves to keep the promise on IDEA. When the Federal Government enacted this program, it promised the States and the local jurisdictions that it would fund 40 percent of the expense.

We have never done that. We are at about half that amount. As a result, we have forced property tax increases all across America. This amendment says let's keep the promise on IDEA. We phase it in over 10 years. It costs $73 billion in outlays. It is paid for by the nonreconciled tax cuts. Let me emphasize to my colleagues, the nonreconciled tax cuts.

I hope my colleagues will give serious consideration to this amendment. Let's keep the promise on IDEA. Let's help those local jurisdictions at a time of enormous financial stress meet the need.

Mr. BAUCUS. Mr. President, I rise to pledge my continued support for the Individuals with Disabilities Education Act. Fully funding the Federal Government's share of special education costs is one of the most important investments we can make in our children and our schools. Funding IDEA to the full 40 percent will lift the burden of rising special education costs off the backs of our schools and enhance their ability to deliver a quality education to all students.

I have consistently fought to make full funding of IDEA a reality, and I will continue to build on the progress we have made.

But I am forced to vote against this amendment because of another concern, my concern with mounting deficits.

The budget resolution brought before us includes tax cuts that total $1.3 trillion. The budget also proposes that $725 billion of these tax cuts be enacted immediately, under the reconciliation process.

Two years ago, we passed a $1.3 trillion tax cut. I supported that tax cut. But those were different times. We had a surplus. We did not foresee the significant decline in revenues, or the deficits that followed.

This is not the time to reduce revenues by $725 billion. It would hurt our budget and our economy.

Why is $725 billion in tax cuts inappropriate at this time?

The most crucial problem is that it is not paid for. The budget resolution brought before us forecasts enormous deficits for almost the next decade. Reducing revenues by $725 billion adds to the already mounting deficits.

In order to prevent the passage of tax cuts that would drive up the deficit and hurt our economy, I believe that we must reduce the size of this tax cut.

I joined three of my colleagues in a letter that laid out these concerns. We pledged that we would not agree to tax cuts above $350 billion. This is crucial. The Budget Committee approved $725 billion in tax cuts, and brought it to the Senate floor. Along with my colleagues, I promised to vote to bring this number down by $375 billion.

In a narrowly divided Senate, it is important that both parties work together to come up with the appropriate spending and revenue targets for the budget. That is why I worked with both Democrats and Republicans. Together, we came up with a target of $350 billion for this tax cut, and we agreed that we would all stick to that number.

As part of our commitment to try to reduce the size of the tax cut approved by the Budget Committee, we also agreed that we would not try to reduce the size of the tax cut below $350 billion. That means I am forced to make difficult decisions. In order to keep my commitment to a more responsible tax cut, I have to vote against funding priorities.

During tough times, we must make tough choices. I chose to commit to a responsible tax cut. A tax cut that will prevent worsening deficits that would hurt our economy.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, over the last 4 years, especially over the last 2 years President Bush has been in office, there has been a dramatic increase in IDEA funding. In fact, we have increased IDEA funding by almost 173 percent. Last year, we added $1 billion. This year, we added $1 billion. This budget will add $1 billion on top of that—$3 billion in 3 years. This has been a major commitment to IDEA. I will be following the amendment the Senator from North Dakota has proposed with another amendment which will add an additional $3.2 billion into IDEA. It is inappropriate to take the course of action which the Senator from North Dakota has proposed. We believe we can do it in a much more thoughtful and appropriate way with the following amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 376.

Mr. CONRAD. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. REID. I announce that the Senator from Georgia (Mr. MILLER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 47, nays 52, as follows:

[Rollcall Vote No. 70 Leg.]

YEAS—47

Akaka	Durbin	Levin
Bayh	Edwards	Lieberman
Biden	Feingold	Lincoln
Bingaman	Feinstein	Mikulski
Boxer	Graham (FL)	Murray
Byrd	Harkin	Nelson (FL)
Cantwell	Hollings	Nelson (NE)
Carper	Inouye	Pryor
Chafee	Jeffords	Reed
Clinton	Johnson	Reid
Conrad	Kennedy	Rockefeller
Corzine	Kerry	Sarbanes
Daschle	Kohl	Schumer
Dayton	Landrieu	Stabenow
Dodd	Lautenberg	Wyden
Dorgan	Leahy	

NAYS—52

Alexander	DeWine	McConnell
Allard	Dole	Murkowski
Allen	Domenici	Nickles
Baucus	Ensign	Roberts
Bennett	Enzi	Santorum
Bond	Fitzgerald	Sessions
Breaux	Frist	Shelby
Brownback	Graham (SC)	Smith
Bunning	Grassley	Snowe
Burns	Gregg	Specter
Campbell	Hagel	Stevens
Chambliss	Hatch	Sununu
Cochran	Hutchison	Talent
Coleman	Inhofe	Thomas
Collins	Kyl	Voinovich
Cornyn	Lott	Warner
Craig	Lugar	
Crapo	McCain	

NOT VOTING—1

Miller

The amendment (No. 376) was rejected.

Mr. GREGG. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 377

Mr. GREGG. Mr. President, I ask that my amendment be reported.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Hampshire [Mr. GREGG] proposes an amendment numbered 377.

Mr. GREGG. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To increase funding for Part B of the Individuals with Disabilities Education Act by reducing spending on other government programs by a commensurate amount)

On page 25, line 16, increase the amount by $969,602,000.

On page 25, line 20, increase the amount by $2,319,000,000.

On page 25, line 17, increase the amount by $19,392,040.

On page 25, line 21, increase the amount by $657,229,260.

On page 25, line 25, increase the amount by $1,751,850,600.

On page 26, line 4, increase the amount by $744,180,100.

On page 26, line 8, increase the amount by $115,950,000.

On page 42, line 2, decrease the amount by $969,602,000.

On page 42, line 6, decrease the amount by $2,319,000,000.

On page 42, line 3, decrease the amount by $19,392,040.

On page 42, line 7, decrease the amount by $657,229,260.

On page 42, line 11, decrease the amount by $1,751,850,600.

On page 42, line 15, decrease the amount by $744,180,100.

On page 42, line 19, decrease the amount by $115,950,000.

The PRESIDING OFFICER. The amendment will receive 2 minutes of debate evenly divided on each side.

Mr. GREGG. Mr. President, this amendment represents another significant increase in IDEA funding. It represents a $3.2 billion increase over the next 2 years, which will mean that the total increase in IDEA funding over the next 2 years will be approximately $6.7 billion. That is a very dramatic increase that puts us clearly on a path toward full funding of the IDEA accounts, on which many have worked for a long time. I hope the membership supports the amendment.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. CONRAD. I yield time to the Senator from Iowa.

Mr. HARKIN. Mr. President, this amendment is as phony as a $3 bill. It provides for 2 years of funding for the Individuals with Disabilities Education Act and then you drop off the face of the Earth. And it gets the money from—where? It gets it from nowhere. It is play money.

Later on, I will have an amendment that will really fund that. I have been working on an amendment with the Senator from Nebraska that will really put the money in there and get us fully funded for the Individuals with Disabilities Education Act by 2011. It will not be funny money, and it will not fall off the face of the Earth in 2 years like the Gregg amendment.

I ask for defeat of this amendment.

The PRESIDING OFFICER. The question is on agreeing to the Gregg amendment No. 377.

Mr. GREGG. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Georgia (Mr. MILLER), is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 10, as follows:

[Rollcall Vote No. 71 Leg.]

YEAS—89

Alexander	Bennett	Breaux
Allard	Biden	Brownback
Allen	Bingaman	Bunning
Baucus	Bond	Burns
Bayh	Boxer	Byrd
Campbell	Fitzgerald	Nelson (FL)
Cantwell	Frist	Nelson (NE)
Carper	Graham (FL)	Nickles
Chafee	Graham (SC)	Pryor
Chambliss	Grassley	Reed
Cochran	Gregg	Reid
Coleman	Hagel	Roberts
Collins	Hatch	Rockefeller
Conrad	Hutchison	Santorum
Cornyn	Inhofe	Sarbanes
Corzine	Inouye	Schumer
Craig	Johnson	Sessions
Crapo	Kennedy	Shelby
Daschle	Kerry	Smith
DeWine	Landrieu	Snowe
Dodd	Leahy	Specter
Dole	Lieberman	Stabenow
Domenici	Lincoln	Stevens
Dorgan	Lott	Sununu
Durbin	Lugar	Talent
Edwards	McCain	Thomas
Ensign	McConnell	Voinovich
Enzi	Mikulski	Warner
Feingold	Murkowski	Wyden
Feinstein	Murray	

NAYS—10

Akaka	Hollings	Lautenberg
Clinton	Jeffords	Levin
Dayton	Kohl	
Harkin	Kyl	

NOT VOTING—1

Miller

The amendment (no. 377) was agreed to.

CHANGE OF VOTE

Mr. DORGAN. Mr. President, on rollcall vote No. 71, I voted nay. It was my intention to vote yea. I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome of the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

(The foregoing tally has been changed to reflect the above order.)

Mr. NICKLES. Mr. President, for the information of our colleagues, we will soon be voting on the Mikulski amendment. This will complete the first batch of amendments and Senator CONRAD and I will be working to put together a list of additional amendments. So I expect there will be some break, just for the information of our colleagues. We hope to begin—this vote will start in just a couple of minutes. I expect we will have another round of votes beginning probably close to 1:15.

Mr. SARBANES. A lunch break.

AMENDMENT NO. 349

The PRESIDING OFFICER. The clerk will report the next amendment.

The legislative clerk read as follows:

The Senator from Maryland (Ms. MIKULSKI) proposed an amendment numbered 349.

Ms. MIKULSKI. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To revise the resolution to accommodate in reconciliation legislation a partially refundable tax credit of up to $5,000 for eligible expenses for individuals with long term or chronic care needs of their family caregivers who pay these expenses; in which ''eligible expenses'' shall include prescription drugs, medical bills, durable medical equipment, home health care, custodial care, respite care, adult day care, transportation to chronic care or medical facilities, specialized therapy (including occupational therapy, physical therapy, or rehabilitational therapy), other specialized services for children (including day care for children with special needs), and other long term care related expenses as defined by the Secretary of Health and Human Services; and in which ''individuals with long term or chronic care needs'' shall mean individuals with multiple chronic conditions, individuals unable to perform activities of daily living, individuals with severe cognitive impairment, individuals with complex medical conditions, and other individuals with similar levels of disability or need for care)

On page 3, line 10, increase the amount by $246,000,000.

On page 3, line 11, increase the amount by $256,000,000.

On page 3, line 12, increase the amount by $267,000,000.

On page 3, line 13, increase the amount by $552,000,000.

On page 3, line 14, increase the amount by $578,000,000.

On page 3, line 15, increase the amount by $908,000,000.

On page 3, line 16, increase the amount by $941,000,000.

On page 3, line 17, increase the amount by $1,313,000,000.

On page 3, line 18, increase the amount by $1,375,000,000.

On page 3, line 19, increase the amount by $1,799,000,000.

On page 4, line 1, increase the amount by $246,000,000.

On page 4, line 2, increase the amount by $256,000,000.

On page 4, line 3, increase the amount by $267,000,000.

On page 4, line 4, increase the amount by $552,000,000.

On page 4, line 5, increase the amount by $578,000,000.

On page 4, line 6, increase the amount by $908,000,000.

On page 4, line 7, increase the amount by $941,000,000.

On page 4, line 8, increase the amount by $1,313,000,000.

On page 4, line 9, increase the amount by $1,375,000,000.

On page 4, line 10, increase the amount by $1,799,000,000.

On page 4, line 15, increase the amount by $246,000,000.

On page 4, line 16, increase the amount by $256,000,000.

On page 4, line 17, increase the amount by $267,000,000.

On page 4, line 18, increase the amount by $552,000,000.

On page 4, line 19, increase the amount by $578,000,000.

On page 4, line 20, increase the amount by $908,000,000.

On page 4, line 21, increase the amount by $941,000,000.

On page 4, line 22, increase the amount by $1,313,000,000.

On page 4, line 23, increase the amount by $1,375,000,000.

On page 4, line 24, increase the amount by $1,799,000,000.

On page 5, line 5, increase the amount by $246,000,000.

On page 5, line 6, increase the amount by $256,000,000.

On page 5, line 7, increase the amount by $267,000,000.

On page 5, line 8, increase the amount by $552,000,000.

On page 5, line 9, increase the amount by $578,000,000.

On page 5, line 10, increase the amount by $908,000,000.

On page 5, line 11, increase the amount by $941,000,000.

On page 5, line 12, increase the amount by $1,313,000,000.

On page 5, line 13, increase the amount by $1,375,000,000.

On page 5, line 14, increase the amount by $1,799,000,000.

On page 27, line 11, increase the amount by $246,000,000.

On page 27, line 12, increase the amount by $246,000,000.

On page 27, line 15, increase the amount by $256,000,000.

On page 27, line 16, increase the amount by $256,000,000.

On page 27, line 19, increase the amount by $267,000,000.

On page 27, line 20, increase the amount by $267,000,000.

On page 27, line 23, increase the amount by $552,000,000.

On page 27, line 24, increase the amount by $552,000,000.

On page 28, line 2, increase the amount by $578,000,000.

On page 28, line 3, increase the amount by $578,000,000.

On page 28, line 6, increase the amount by $908,000,000.

On page 28, line 7, increase the amount by $908,000,000.

On page 28, line 10, increase the amount by $941,000,000.

On page 28, line 11, increase the amount by $941,000,000.

On page 28, line 14, increase the amount by $1,313,000,000.

On page 28, line 15, increase the amount by $1,313,000,000.

On page 28, line 18, increase the amount by $1,375,000,000.

On page 28, line 19, increase the amount by $1,375,000,000.

On page 28, line 22, increase the amount by $1,799,000,000.

On page 28, line 23, increase the amount by $1,799,000,000.

The PRESIDING OFFICER. There will be 2 minutes of debate equally divided on each side. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, my amendment would give a tax credit up to $5,000 to family caregivers. My amendment would help a family dealing with juvenile diabetes, a spouse taking care of someone with Alzheimer's, a parent taking care of an adult son with Down's syndrome.

My tax credit would pay for prescription drugs, home health care, durable medical equipment—things that give help to those families practicing self-help. These families face a tremendous financial and emotional burden. Families will deal with their own emotional burden, but I believe America should step up and help them with their financial burden as they deal with caregiving in the United States of America.

Mr. President, 125 million Americans have chronic conditions; 18 million of those are children. Family caregivers are often stretched to the limit, often working two jobs. This amendment costs $35 billion. We can afford it and we ought to do it.

The PRESIDING OFFICER. Who yields time? Who yields time in opposition?

Mr. NICKLES. Go ahead.

Mr. GRASSLEY. I yield myself time.

Mr. President, I rise in opposition to the amendment. I obviously do not rise in opposition to the goals the Senator from Maryland seeks, because I, along with Senator GRAHAM of Florida—the two of us are sponsors of an amendment that would provide a $3,000 tax credit for family caregiving. But what we are involved with here is taking money from the tax reduction fund to put into another program. What we need to do is keep the tax reduction fund very strong because it is a growth package, it is a job package. We want to create jobs. We want an economic environment so when our men and women come home from Iraq there are jobs for our men and women. There is no job creation now. We want to create jobs. It is going to take a tax cut to create jobs.

The PRESIDING OFFICER. The question is on agreeing to the Mikulski amendment No. 349.

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

Mr. REID. I announce that the Senator from Georgia (Mr. MILLER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 72 Leg.]

YEAS—45

Akaka	Edwards	Levin
Bayh	Feingold	Lieberman
Biden	Feinstein	Lincoln
Boxer	Graham (FL)	Mikulski
Byrd	Harkin	Murray
Cantwell	Hollings	Nelson (FL)
Carper	Inouye	Nelson (NE)
Clinton	Jeffords	Pryor
Conrad	Johnson	Reed
Corzine	Kennedy	Reid
Daschle	Kerry	Rockefeller
Dayton	Kohl	Sarbanes
Dodd	Landrieu	Schumer
Dorgan	Lautenberg	Stabenow
Durbin	Leahy	Wyden

NAYS—54

Alexander	Coleman	Hagel
Allard	Collins	Hatch
Allen	Cornyn	Hutchison
Baucus	Craig	Inhofe
Bennett	Crapo	Kyl
Bingaman	DeWine	Lott
Bond	Dole	Lugar
Breaux	Domenici	McCain
Brownback	Ensign	McConnell
Bunning	Enzi	Murkowski
Burns	Fitzgerald	Nickles
Campbell	Frist	Roberts
Chafee	Graham (SC)	Santorum
Chambliss	Grassley	Sessions
Cochran	Gregg	Shelby
Smith	Stevens	Thomas
Snowe	Sununu	Voinovich
Specter	Talent	Warner

NOT VOTING—1

Miller

The amendment (No. 349) was rejected.

Mr. REID. I move to reconsider the vote.

Mr. DORGAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, the managers of the bill asked that I maintain the floor until they return at approximately 1:15. They ask that there be no amendments offered or debate on amendments.

Senator BYRD is here. And he usually, each spring, gives us a speech on springtime.

Is the Senator ready to speak?

Mr. President, I ask unanimous consent that the Senator from West Virginia be allowed to speak as in morning business for up to 7 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the Chair. And I thank my distinguished colleague, the Democratic whip, for his characteristic courtesy and attention to matters in the Senate, and his always readiness to help other Senators in getting recognition. I thank him very much.

SPRINGTIME

Mr. President, this is my 85th year, but it is my 86th coming of spring. I am 85 years old—85 years young—but this is my 86th first day of spring.

So, Mr. President, at long last spring has arrived. How sweet it is. How sweet it is. Spring has arrived.

After a long gray winter made darker by the specter of war, and with that conflict now upon us, it is heartening to be reminded of the great rhythm of the seasons and the renewal of the earth and the life upon it.

Now Nature hangs her mantle green
On every blooming tree,
And spreads her sheets o' daisies white
Out o'er the grassy lea

So wrote the poet Robert Burns.

On the world stage, war plays a leading role, demanding our attention with the strident clangor of steel and the tramp of marching troops. But in the wings, subtly repainting the background sets, spring softens the scenery and gives us hope for the rebirth of peace. Bright crocuses blanket the ground in a confetti of color and the green ink of new growth stains the tawny fields of winter. The redbuds cover the hillsides in a rosy blush as bare forests rush to cover themselves in verdant blankets of new leaves. Banks of nodding daffodils cheer the anxious hearts of families worrying over loved ones in uniform far from home.

Last year, a dry and mild winter caused spring bulbs to bloom in February. This year, as snowfall after snowfall piled up on lawns and roads, it seemed as if no flower could survive in the icy soil. Seed catalogs languished unread as we shoveled sidewalks and scraped windshields. We told ourselves that we needed the moisture and that the snow would replenish the groundwater, but these charitable thoughts faded as we faced another foot of newfallen snow, another miserable commute, another slushy slog across parking lot melt. It was a long and wearing winter, and for those in the northern latitudes of the United States, it lingers on still. In Washington, and in West Virginia, however, we are emerging from our dens like bears—shaggy, lean, and hungry for spring.

Sweet is the breath of morn, her rising
Sweet
With charm of earliest birds; pleasant
The sun
When first on this delightful land he
Spreads
His orient beams on herb, tree, fruit
And flower.

The poet John Milton wrote those words.

I look forward to turning away from the incessant news coverage of war, and I look forward to spending a few precious moments outside listening instead to the spring peepers—those little frogs whose singing brings back boyhood memories of long ago, bubbling springs along Wolf Creek Hollow in Mercer County, WV. Their singing coincided with the arrival of warmer weather and with it, a welcome respite from those bitter early morning walks to school, cold hands wrapped around my lunch pail handle, coat collar turned up against the wind that transformed tender ears into red popsicles.

As I tend to the simple routines of springtime—cleaning up the sticks and leaves strewn across the yard by the winter winds, preparing my small garden, of four or five or six or seven tomato plants weeding and fertilizing the lawn—I shall look upon the spring flowers in all their finery. The forsythia, the lilac, the hyacinth, all are undaunted by the code oranges and the code reds. They care nothing for al-Qaida terrorists or Tomahawk missiles, for M1–A1 tanks or F–117 bombers, for sandy battlefields or military strikes. In their benevolence, they show the same cheerful faces to Presidents and dictators, to soldiers and to the loved ones those soldiers leave behind. In their camps in Kuwait and in their bivouacs in the desert, our brave troops will not see a daffodil this spring. But God's daffodil are there for them, just as we are, our support as eternal and dependable as the arrival of spring. I hope that they can take comfort in knowing that the daffodils still bloom and that spring has come at last. With my prayers for their safety and quick success, I wish them the energy and purpose of spring. May they soon be restored to their loved ones, to us, to enjoy a beautiful springtime at home.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, normally when there are speeches given not on the subject matter of the debate, we ask that they be put someplace else in the RECORD. I think this speech on springtime should stay just where it is. This has been a very difficult morning. It is going to be a much more difficult afternoon and evening. The speech on springtime should appear in the RECORD for all eternity to show that there are other things we do that have more meaning sometimes than the meaningless votes we take.

I ask unanimous consent that the Senator's wonderful statement about springtime stay where it is. As busy as we are here, sometimes we don't think about it, but because of the Senator from West Virginia, we are forced to—speeches he has given on Mother's Day and Father's Day, and other such speeches that I will long remember. This speech on springtime has caused me to focus on springtime that I would not have done otherwise.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. I thank the distinguished Senator from Nevada.

Mr. REID. Mr. President, we are going to be in a quorum call unless someone has a speech on a subject not related to the budget that they care to give. Senator NICKLES and Senator CONRAD asked that basically we be in a shutdown on the budget until they return, which should be in a matter of a few minutes. They wanted to come back around 1:15.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NICKLES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NICKLES. Mr. President, we have tentatively agreed on an outline for amendments. I will read through these amendments. It is subject to change. I thank my colleague from North Dakota. We are working together and trying to accommodate Senators. Most of the amendment requests are coming from the minority side of the aisle, and that is the way it usually is on these resolutions. I understand that. We are going to try to move as expeditiously as possible. We are absolutely committed to finishing this bill. It is important we work together to try to complete it.

Some people are outside trying to rewrite amendments or write new amendments. I really discourage that. It is this Senator's intention to finish the bill. We have only been on it all week, and to have people in the drafting stage to see what they can come up with is not a good way to finish. We will be here until we finish.

I will not ask unanimous consent. I will list the order we expect just so Senators are notified and can be ready:

Senator CLINTON dealing with homeland security; Senator DORGAN dealing with veterans affairs; Senator BREAUX and others dealing with the $350 billion growth package; Senator KENNEDY dealing with Pell grants; Senator GREGG dealing with Pell grants; Senator BYRD dealing with Amtrak; possibly Senator MCCAIN on Amtrak; Senator BIDEN dealing with COPS; Senator HOLLINGS on port security; Senator NICKLES on port security; Senator BOND on highways; and Senator NICKLES on highways.

That is our intention. It is not a unanimous consent request. It is just our intention, a list, an outline for our colleagues. This will be another 10 amendments. I suspect three or four of these amendments will drop.

Mr. REID. Will my friend yield?

Mr. NICKLES. I will be happy to yield.

Mr. REID. Mr. President, I think the two managers of this bill have been fair in doing their best to list these amendments and have an orderly process to dispose of them. Not in this tranche, but maybe the next, I hope the two managers will consider having part of a unanimous consent agreement that—everyone has been here on time—if someone is not here to offer their amendment, I am not sure we should hang around and wait for them.

Mr. NICKLES. I concur.

We are ready to do business. I believe Senator CLINTON has a modification of her amendment to send to the desk.

AMENDMENT NO. 381

Mrs. CLINTON. Mr. President, I have an amendment at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New York [Mrs. CLINTON] proposes an amendment numbered 381.

Mrs. CLINTON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To raise the 2003 caps by $3.5 billion for homeland security funding through a Domestic Defense Fund at the Department of Homeland Security's Office of Domestic Preparedness in FY 2003 and to reduce the size of newly proposed tax cuts in the amount of $7 billion to pay for this amendment and for the cost of previously passed homeland security funding)

On page 3, line 9, increase the amount by $2,450,000,000.

On page 3, line 10, increase the amount by $2,450,000,000.

On page 3, line 11, increase the amount by $1,400,000,000.

On page 3, line 12, increase the amount by $700,000,000.

On page 3, line 23, increase the amount by $2,450,000,000.

On page 4, line 1, increase the amount by $2,450,000,000.

On page 4, line 2, increase the amount by $1,400,000,000.

On page 4, line 3, increase the amount by $700,000,000.

On page 4, line 14, increase the amount by $3,491,000,000.

On page 4, line 15, decrease the amount by $575,000,000.

On page 4, line 16, decrease the amount by $128,000,000.

On page 4, line 17, decrease the amount by $174,500,000.

On page 4, line 18, decrease the amount by $197,500,000.

On page 4, line 19, decrease the amount by $211,000,000.

On page 4, line 20, decrease the amount by $225,000,000.

On page 4, line 21, decrease the amount by $238,500,000.

On page 4, line 22, decrease the amount by $251,500,000.

On page 4, line 23, decrease the amount by $265,000,000.

On page 4, line 24, decrease the amount by $281,000,000.

On page 5, line 4, increase the amount by $1,216,000,000.

On page 5, line 5, increase the amount by $1,167,500,000.

On page 5, line 6, increase the amount by $572,000,000.

On page 5, line 7, increase the amount by $175,500,000.

On page 5, line 8, decrease the amount by $197,500,000.

On page 5, line 9, decrease the amount by $211,000,000.

On page 5, line 10, decrease the amount by $225,000,000.

On page 5, line 11, decrease the amount by $238,500,000.

On page 5, line 12, decrease the amount by $251,500,000.

On page 5, line 13, decrease the amount by $265,000,000.

On page 5, line 14, decrease the amount by $281,000,000.

On page 5, line 17, increase the amount by $1,234,000,000.

On page 5, line 18, increase the amount by $1,282,500,000.

On page 5, line 19, increase the amount by $828,000,000.

On page 5, line 20, increase the amount by $524,500,000.

On page 5, line 21, increase the amount by $197,500,000.

On page 5, line 22, increase the amount by $211,000,000.

On page 5, line 23, increase the amount by $225,000,000.

On page 5, line 24, increase the amount by $238,500,000.

On page 5, line 25, increase the amount by $251,500,000.

On page 6, line 1, increase the amount by $265,000,000.

On page 6, line 2, increase the amount by $281,000,000.

On page 23, line 15, increase the amount by $3,500,000,000.

On page 23, line 16, increase the amount by $1,225,000,000.

On page 23, line 20, increase the amount by $1,225,000,000.

On page 23, line 24, increase the amount by $700,000,000.

On page 24, line 3, increase the amount by $350,000,000.

On page 46, line 20, increase the amount by $3,500,000,000.

On page 46, line 21, increase the amount by $1,225,000,000.

On page 47, line 6, increase the amount by $1,225,000,000.

On page 47, line 15, increase the amount by $700,000,000.

Mrs. CLINTON. Earlier today, the Senate passed an amendment offered by Senator COCHRAN——

The PRESIDING OFFICER. The Senator will suspend. There is no time for debate on the amendment.

The Senator from Oklahoma.

Mr. NICKLES. Mr. President, for this list of amendments I have outlined, I ask unanimous consent that there be 2 minutes equally divided on each of these amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New York.

Mrs. CLINTON. Mr. President, earlier today, the Senate passed an amendment offered by Senator COCHRAN to increase homeland security funding by $3.5 million in the emergency supplemental bill we will consider in the coming weeks. This is an important first step, but it is not nearly enough and it should be paid for.

Our cities have already invested $2.6 billion to protect the American homefront. This amendment adds $3.5 billion to Senator COCHRAN's amendment and takes the fiscally responsible approach of paying for the full $7 billion without reducing the reconciliation amount. I think we need to be much more vigorous in providing the funds that our police, our firefighters, and our cities need. This will help us move in that direction, and it will also be paid for, which is another important value that this budget should be trying to promote.

I ask for its approval and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I do not know when we can say enough is enough. We have doubled the funding for homeland security in 2003 compared to 2002. That is a result of 9/11, and appropriately so. The budget we have before us increases it another 18.4 percent. We have already increased homeland security an additional $3.5 billion as a result of passage of the Cochran amendment.

Senator CLINTON's amendment would just bump it up another $3.5 billion. That would be an enormous percentage increase. Right now, we have funds for homeland security State by State that are not being spent, for whatever reason. I urge my colleagues to vote no on the amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 381.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 48, nays 52, as follows:

[Rollcall Vote No. 73 Leg.]

YEAS—48

Akaka	Dorgan	Leahy
Baucus	Durbin	Levin
Bayh	Edwards	Lieberman
Biden	Feingold	Lincoln
Bingaman	Feinstein	Mikulski
Boxer	Graham (FL)	Murray
Breaux	Harkin	Nelson (FL)
Byrd	Hollings	Nelson (NE)
Cantwell	Inouye	Pryor
Carper	Jeffords	Reed
Clinton	Johnson	Reid
Conrad	Kennedy	Rockefeller
Corzine	Kerry	Sarbanes
Daschle	Kohl	Schumer
Dayton	Landrieu	Stabenow
Dodd	Lautenberg	Wyden

NAYS—52

Alexander	Dole	Miller
Allard	Domenici	Murkowski
Allen	Ensign	Nickles
Bennett	Enzi	Roberts
Bond	Fitzgerald	Santorum
Brownback	Frist	Sessions
Bunning	Graham (SC)	Shelby
Burns	Grassley	Smith
Campbell	Gregg	Snowe
Chafee	Hagel	Specter
Chambliss	Hatch	Stevens
Cochran	Hutchison	Sununu
Coleman	Inhofe	Talent
Collins	Kyl	Thomas
Cornyn	Lott	Voinovich
Craig	Lugar	Warner
Crapo	McCain	
DeWine	McConnell	

The amendment (No. 381) was rejected.

AMENDMENT NO. 385

Mr. DORGAN. Mr. President, my understanding is that I am next on the list.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. My understanding is I am next on the list to offer an amendment. If that is the case, I am prepared to send an amendment to the desk on behalf of myself, Mr. FEINGOLD, Mr. DASCHLE, Mr. LEAHY, Mr. JEFFORDS, Mr. HARKIN, Ms. MIKULSKI, Mr. JOHNSON, and Mr. SARBANES.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from North Dakota (Mr. DORGAN), for himself, Mr. FEINGOLD, Mr. DASCHLE, Mr. LEAHY, Mr. JEFFORDS, Mr. HARKIN, Ms. MIKULSKI, Mr. JOHNSON, and Mr. SARBANES, proposes an amendment numbered 385.

Mr. DORGAN. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To increase FY 2004 funding for the discretionary programs of the Department of Veterans Affairs by $1,019,000,000, so it matches the level proposed by a coalition of veterans groups in the Independent Budget; to decrease the deficit by a similar amount; and to use the unreconciled tax cut to pay for it)

On page 3, line 10, increase the amount by $1,987,000,000.

On page 3, line 11, increase the amount by $192,000,000.

On page 3, line 12, increase the amount by $29,000,000.

On page 3, line 13, increase the amount by $9,000,000.

On page 3, line 14, increase the amount by $1,000,000.

On page 4, line 1, increase the amount by $1,798,000,000.
On page 4, line 2, increase the amount by $192,000,000.
On page 4, line 3, increase the amount by $29,000,000.
On page 4, line 4, increase the amount by $9,000,000.
On page 4, line 5, increase the amount by $1,000,000.
On page 4, line 15, increase the amount by $1,003,000,000.
On page 4, line 16, decrease the amount by $43,000,000.
On page 4, line 17, decrease the amount by $52,000,000.
On page 4, line 18, decrease the amount by $58,000,000.
On page 4, line 19, decrease the amount by $61,000,000.
On page 4, line 20, decrease the amount by $65,000,000.
On page 4, line 21, decrease the amount by $69,000,000.
On page 4, line 22, decrease the amount by $73,000,000.
On page 4, line 23, decrease the amount by $77,000,000.
On page 4, line 24, decrease the amount by $81,000,000.
On page 5, line 5, increase the amount by $883,000,000.
On page 5, line 6, increase the amount by $53,000,000.
On page 5, line 7, decrease the amount by $37,000,000.
On page 5, line 8, decrease the amount by $54,000,000.
On page 5, line 9, decrease the amount by $61,000,000.
On page 5, line 10, decrease the amount by $65,000,000.
On page 5, line 11, decrease the amount by $69,000,000.
On page 5, line 12, decrease the amount by $73,000,000.
On page 5, line 13, decrease the amount by $77,000,000.
On page 5, line 14, decrease the amount by $81,000,000.
On page 5, line 18, increase the amount by $915,000,000.
On page 5, line 19, increase the amount by $139,000,000.
On page 5, line 20, increase the amount by $66,000,000.
On page 5, line 21, increase the amount by $63,000,000.
On page 5, line 22, increase the amount by $62,000,000.
On page 5, line 23, increase the amount by $65,000,000.
On page 5, line 24, increase the amount by $69,000,000.
On page 5, line 25, increase the amount by $73,000,000.
On page 6, line 1, increase the amount by $77,000,000.
On page 6, line 2, increase the amount by $81,000,000.
On page 6, line 6, decrease the amount by $915,000,000.
On page 6, line 7, decrease the amount by $1,054,000,000.
On page 6, line 8, decrease the amount by $1,121,000,000.
On page 6, line 9, decrease the amount by $1,183,000,000.
On page 6, line 10, decrease the amount by $1,245,000,000.
On page 6, line 11, decrease the amount by $1,311,000,000.
On page 6, line 12, decrease the amount by $1,380,000,000.
On page 6, line 13, decrease the amount by $1,453,000,000.
On page 6, line 14, decrease the amount by $1,531,000,000.
On page 6, line 15, decrease the amount by $1,612,000,000.
On page 6, line 19, decrease the amount by $915,000,000.
On page 6, line 20, decrease the amount by $1,054,000,000.
On page 6, line 21, decrease the amount by $1,121,000,000.
On page 6, line 22, decrease the amount by $1,183,000,000.
On page 6, line 23, decrease the amount by $1,245,000,000.
On page 6, line 24, decrease the amount by $1,311,000,000.
On page 6, line 25, decrease the amount by $1,380,000,000.
On page 7, line 1, decrease the amount by $1,453,000,000.
On page 7, line 2, decrease the amount by $1,531,000,000.
On page 7, line 3, decrease the amount by $1,612,000,000.
On page 34, line 19, increase the amount by $1,019,000,000.
On page 34, line 20, increase the amount by $899,000,000.
On page 34, line 24, increase the amount by $96,000,000.
On page 35, line 3, increase the amount by $15,000,000.
On page 35, line 7, increase the amount by $4,000,000.
On page 40, line 6, decrease the amount by $16,000,000.
On page 40, line 7, decrease the amount by $16,000,000.
On page 40, line 10, decrease the amount by $43,000,000.
On page 40, line 11, decrease the amount by $43,000,000.
On page 40, line 14, decrease the amount by $52,000,000.
On page 40, line 15, decrease the amount by $52,000,000.
On page 40, line 18, decrease the amount by $58,000,000.
On page 40, line 19, decrease the amount by $58,000,000.
On page 40, line 22, decrease the amount by $61,000,000.
On page 40, line 23, decrease the amount by $61,000,000.
On page 41, line 2, decrease the amount by $65,000,000.
On page 41, line 3, decrease the amount by $65,000,000.
On page 41, line 6, decrease the amount by $69,000,000.
On page 41, line 7, decrease the amount by $69,000,000.
On page 41, line 10, decrease the amount by $73,000,000.
On page 41, line 11, decrease the amount by $73,000,000.
On page 41, line 14, decrease the amount by $77,000,000.
On page 41, line 15, decrease the amount by $77,000,000.
On page 41, line 18, decrease the amount by $81,000,000.
On page 41, line 19, decrease the amount by $81,000,000.
On page 47, line 5, increase the amount by $1,019,000,000.
On page 47, line 6, increase the amount by $899,000,000.
On page 47, line 15, increase the amount by $96,000,000.

The PRESIDING OFFICER. Two minutes will be provided for debate, equally divided on each side.

The Senator from North Dakota.

Mr. DORGAN. This amendment adds $1.019 billion to the total amount in the bill for veterans discretionary programs. The amendment is paid for by a decrease in the tax cut in an equal amount, in addition to the additional spending on veterans programs that would be available to reduce the deficit.

With respect to veterans programs, let me say to the chairman and ranking member, I think they did some good work with respect to veterans medical care. They did actually add some money for veterans health care, veterans medical care. We all commend them for that.

We are still very short with respect to veterans programs dealing with research, with construction, with the administration that is needed in order to process the requests by veterans. There is a rather lengthy time lag in being able to process the request. The fact is, we need to provide sufficient moneys for this service.

At a time when veterans are in the field prosecuting this war, we ought to say we will keep our promise to veterans.

Mr. SPECTER. Mr. President, I am voting against Senator DORGAN's amendment, which proposes to add an additional $1 billion to VA discretionary accounts. I so vote because the budget resolution, as reported by the Budget committee, already makes significant additions in funding for veterans benefits. It is, I think, already a fair and just allocation of funding for veterans.

It seems to be the case that no matter how much funding is made available in a budget resolution, someone will always propose additions. For veterans this year, the budget resolution, as reported, contains unprecedented increases in VA discretionary funding; it increases VA discretionary funding by $3.4 billion over fiscal year 2003 levels, a 13 percent increase. The Budget Committee-reported resolution more than doubles the administration's proposed VA medical care funding increase of $1.5 billion, adding an additional $1.8 billion to this most critical budget account, as urged by Senators JOHNSON and ENSIGN in the Budget Committee's markup. In fairness, it is accurate to conclude that funding levels approved by the Budget committee do not short-change veterans.

Senator DORGAN's amendment would add funds to non-medical care-related accounts, such as construction, research, veterans cemetery administration, and veterans benefits processing. These are important accounts—and they have been increased significantly in recent years. Since 1997, Congress has provided funds to support a 40 percent increase in staffing for compensation claims processing. VA medical research funding has increased by 47 percent Veterans cemetery administration funding has increased by 71 percent. Funding for the VA inspector general's office has almost doubled. And over 2.5 billion dollars' worth of major and minor construction projects have been funded. The present resolution will improve on this record by providing a 13

percent increase above 2003 enacted levels for such accounts. Construction funding alone will increase by 62 percent over the 2003 enacted levels.

I would like to see even greater increases; it would always be nice to add more funding for various worthwhile purposes. But, in fairness, veterans benefits must be considered along with proposed increases in education, health care, environmental protection, and many other worthwhile Federal programs. Viewed in this context, I think the proposed budget allocation is fair and just.

Mr. SARBANES. Mr. President, I rise today to express my strong support for the amendment offered by my colleague Senator DORGAN, to increase the amount of discretionary funding for veterans programs. I am proud to be an original cosponsor of this amendment—one that will go a long way in ensuring that our Nation's veterans receive the benefits to which they are entitled.

As you know, every year a coalition of our Nation's veterans advocacy groups comes together to compile the Independent Budget. This document—written by veterans for veterans—offers guidance to the Congress on the projected needs of our Nation's veterans in the coming fiscal year. I am pleased that during last week's markup of the Budget Resolution, the Senate Budget Committee, with my support, adopted an amendment to match the amount included in the Independent Budget to adequately provide medical care for the 6.5 million veterans enrolled in the VA health care system. This represented a nearly $2 billion increase over the funding level requested by the President.

Senator DORGAN's amendment will build upon this success by helping to provide additional resources to appropriately fund other key functions of the Department of Veterans Affairs. The Dorgan amendment adds $1.019 billion to the total for veterans discretionary programs to match the amount identified as necessary by the Independent Budget. Among other things, these funds will be utilized to significantly boost VA medical and prosthetics research, improve the processing of veterans benefits, fund much needed construction, renovation and maintenance projects, and ensure that are veterans are buried with honor.

Mr. President, our Nation's veterans, like the men and women in Iraq today, answered the call of their nation—marching into harm's way to preserve the ideals of liberty and democracy which we, as Americans, hold so dear. In my view, making sure that our veterans receive adequate and timely health care and the other benefits to which they are entitled is a small price to pay to express our continued gratitude for their unwavering service to our nation.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. I urge my colleagues to vote no on this amendment. I think this is another case where I said no matter what we do in committee, no matter how much we add, someone is going to come up and say it is not enough. We increased the veterans budget altogether over 12 percent, $3.4 billion. We did 10 percent over the President's request, about $3 billion. We did a 14.7 percent increase in veterans health care.

This amendment not only has more increases but, in addition, it also reduces the tax cut. We are taking care of our veterans in this proposal with enormous percentage increases. I urge my colleagues to vote no on the amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 385.

Mr. DORGAN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 49, nays 51, as follows:

[Rollcall Vote No. 74 Leg.]

YEAS—49

Akaka	Dorgan	Levin
Baucus	Durbin	Lieberman
Bayh	Edwards	Lincoln
Biden	Feingold	Mikulski
Bingaman	Feinstein	Murray
Boxer	Graham (FL)	Nelson (FL)
Breaux	Harkin	Nelson (NE)
Byrd	Hollings	Pryor
Cantwell	Inouye	Reed
Carper	Jeffords	Reid
Chafee	Johnson	Rockefeller
Clinton	Kennedy	Sarbanes
Conrad	Kerry	Schumer
Corzine	Kohl	Stabenow
Daschle	Landrieu	Wyden
Dayton	Lautenberg	
Dodd	Leahy	

NAYS—51

Alexander	Dole	McConnell
Allard	Domenici	Miller
Allen	Ensign	Murkowski
Bennett	Enzi	Nickles
Bond	Fitzgerald	Roberts
Brownback	Frist	Santorum
Bunning	Graham (SC)	Sessions
Burns	Grassley	Shelby
Campbell	Gregg	Smith
Chambliss	Hagel	Snowe
Cochran	Hatch	Specter
Coleman	Hutchison	Stevens
Collins	Inhofe	Sununu
Cornyn	Kyl	Talent
Craig	Lott	Thomas
Crapo	Lugar	Voinovich
DeWine	McCain	Warner

The amendment (No. 385) was rejected.

Mr. NICKLES. Mr. President, I move to reconsider the vote on the Dorgan amendment No. 385.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENTS NOS. 328 AND 282, EN BLOC

Mr. NICKLES. Mr. President, I ask unanimous consent to call up and pass amendment No. 328, sponsored by Senators WYDEN and KYL, regarding the national fire plan; and amendment No. 282, by Senator BROWNBACK, regarding a commission to review the efficiency of Federal agencies.

The PRESIDING OFFICER. Is there objection?

The Senator from North Dakota.

Mr. CONRAD. Mr. President, there is no objection on this side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

The Senator from Oklahoma [Mr. NICKLES], for Mr. WYDEN, for himself, Mr. KYL, Mr. BINGAMAN, Mrs. MURRAY, Mr. JOHNSON, Mr. KERRY, and Mrs. FEINSTEIN, proposes an amendment numbered 328.

The amendment is as follows:

(Purpose: To increase investments in implementation of the National Fire Plan to benefit national forests, the environment, local communities and local economies)

On page 16, line 11, increase the amount by $500,000,000.

On page 16, line 12, increase the amount by $325,000,000.

On page 16, line 16, increase the amount by $85,000,000.

On page 16, line 20, increase the amount by $50,000,000.

On page 16, line 24, increase the amount by $25,000,000.

On page 17, line 3, increase the amount by $15,000,000.

On page 42, line 2, decrease the amount by $500,000,000.

On page 42, line 3, decrease the amount by $325,000,000.

On page 42, line 7, decrease the amount by $85,000,000.

On page 42, line 11, decrease the amount by $50,000,000.

On page 42, line 15, decrease the amount by $25,000,000.

On page 42, line 19, decrease the amount by $15,000,000.

The PRESIDING OFFICER. Is there further debate on the amendments?

The Senator from Oregon.

Mr. WYDEN. Very briefly, amendment No. 328 is a bipartisan amendment that Senator KYL and I have cosponsored with Senator DOMENICI, Senator BINGAMAN, and others. It deals with the national fire plan. Suffice it to say, Senators know that the West over the last few summers has just been an inferno. We expect another very hot summer. This legislation is a bipartisan initiative which would allow us to set aside additional funds for forest restoration, hazardous fuels reduction and fire research, and real on-the-ground collaboration with States and localities to help them improve their environment and protect against catastrophic fire. It is backed by the timber industry and a host of environmental groups. I see my colleague from Arizona on the floor as well.

It is a bipartisan amendment on which Western Senators cooperated. I urge my colleagues to support it.

The PRESIDING OFFICER. Is there further debate?

The Senator from Arizona.

Mr. KYL. Mr. Senator, let me add to the comments of my colleague from Oregon. I compliment him for the work he has done. This is a good example of bipartisanship in working to solve a

national problem. The people from the Appropriations Committee, the administration, and the Democratic and Republican Parties in the Senate have come together to restore some of these funds so we could help to create healthy forests for the benefit of all.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to amendments Nos. 328 and 282 en bloc.

The amendments (No. 328 and No. 282) were agreed to en bloc.

AMENDMENT NO. 339, AS MODIFIED

Mr. NICKLES. Mr. President, the next amendment we will have will be by the Senator from Louisiana, Mr. BREAUX. There will be a 10-minute time limitation. It is a very large amendment. I ask that the Senator from Louisiana be recognized.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. BREAUX. Mr. President, I ask unanimous consent to modify the amendment and send the modification to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, as modified, is as follows:

On page 3, line 9, increase the amount by $10,433,000,000.

On page 3, line 10, increase the amount by $23,015,000,000.

On page 3, line 11, increase the amount by $17,962,000,000.

On page 3, line 12, increase the amount by $12,167,000,000.

On page 3, line 13, increase the amount by $6,893,000,000.

On page 3, line 14, increase the amount by $6,183,000,000.

On page 3, line 15, increase the amount by $5,879,000,000.

On page 3, line 16, increase the amount by $5,992,000,000.

On page 3, line 17, increase the amount by $42,874,000,000.

On page 3, line 18, increase the amount by $69,512,000,000.

On page 3, line 19, increase the amount by $74,090,000,000.

On page 3, line 23, increase the amount by $10,433,000,000.

On page 4, line 1, increase the amount by $23,015,000,000.

On page 4, line 2, increase the amount by $17,962,000,000.

On page 4, line 3, increase the amount by $12,167,000,000.

On page 4, line 4, increase the amount by $6,893,000,000.

On page 4, line 5, increase the amount by $6,183,000,000.

On page 4, line 6, increase the amount by $5,879,000,000.

On page 4, line 7, increase the amount by $5,992,000,000.

On page 4, line 8, increase the amount by $42,874,000,000.

On page 4, line 9, increase the amount by $69,512,000,000.

On page 4, line 10, increase the amount by $74,090,000,000.

On page 4, line 14, decrease the amount by $77,000,000.

On page 4, line 15, decrease the amount by $718,000,000.

On page 4, line 16, decrease the amount by $1,974,000,000.

On page 4, line 17, decrease the amount by $3,035,000,000.

On page 4, line 18, decrease the amount by $3,789,000,000.

On page 4, line 19, decrease the amount by $4,376,000,000.

On page 4, line 20, decrease the amount by $4,974,000,000.

On page 4, line 21, decrease the amount by $5,588,000,000.

On page 4, line 22, decrease the amount by $7,219,000,000.

On page 4, line 23, decrease the amount by $10,657,000,000.

On page 4, line 24, decrease the amount by $15,140,000,000.

On page 5, line 4, decrease the amount by $77,000,000.

On page 5, line 5, decrease the amount by $718,000,000.

On page 5, line 6, decrease the amount by $1,974,000,000.

On page 5, line 7, decrease the amount by $3,035,000,000.

On page 5, line 8, decrease the amount by $3,789,000,000.

On page 5, line 9, decrease the amount by $4,376,000,000.

On page 5, line 10, decrease the amount by $4,974,000,000.

On page 5, line 11, decrease the amount by $5,588,000,000.

On page 5, line 12, decrease the amount by $7,219,000,000.

On page 5, line 13, decrease the amount by $10,657,000,000.

On page 5, line 14, decrease the amount by $15,140,000,000.

On page 5, line 17, increase the amount by $10,511,000,000.

On page 5, line 18, increase the amount by $23,733,000,000.

On page 5, line 19, increase the amount by $19,935,000,000.

On page 5, line 20, increase the amount by $15,203,000,000.

On page 5, line 21, increase the amount by $10,681,000,000.

On page 5, line 22, increase the amount by $10,559,000,000.

On page 5, line 23, increase the amount by $10,853,000,000.

On page 5, line 24, increase the amount by $11,580,000,000.

On page 5, line 25, increase the amount by $50,093,000,000.

On page 6, line 1, increase the amount by $80,169,000,000.

On page 6, line 2, increase the amount by $89,231,000,000.

On page 6, line 5, decrease the amount by $10,511,000,000.

On page 6, line 6, decrease the amount by $32,244,000,000.

On page 6, line 7, decrease the amount by $54,179,000,000.

On page 6, line 8, decrease the amount by $69,382,000,000.

On page 6, line 9, decrease the amount by $80,063,000,000.

On page 6, line 10, decrease the amount by $90,622,000,000.

On page 6, line 11, decrease the amount by $101,476,000,000.

On page 6, line 12, decrease the amount by $113,055,000,000.

On page 6, line 13, decrease the amount by $163,148,000,000.

On page 6, line 14, decrease the amount by $243,317,000,000.

On page 6, line 15, decrease the amount by $332,548,000,000.

On page 6, line 18, decrease the amount by $10,511,000,000.

On page 6, line 19, decrease the amount by $34,244,000,000.

On page 6, line 20, decrease the amount by $54,179,000,000.

On page 6, line 21, decrease the amount by $69,382,000,000.

On page 6, line 22, decrease the amount by $80,063,000,000.

On page 6, line 23, decrease the amount by $90,622,000,000.

On page 6, line 24, decrease the amount by $101,476,000,000.

On page 6, line 25, decrease the amount by $133,055,000,000.

On page 7, line 1, decrease the amount by $163,148,000,000.

On page 7, line 2, decrease the amount by $243,317,000,000.

On page 7, line 3, decrease the amount by $332,548,000,000.

On page 40, line 2, decrease the amount by $77,000,000.

On page 40, line 3, decrease the amount by $77,000,000.

On page 40, line 6, decrease the amount by $718,000,000.

On page 40, line 7, decrease the amount by $718,000,000.

On page 40, line 10, decrease the amount by $1,974,000,000.

On page 40, line 11, decrease the amount by $1,974,000,000.

On page 40, line 14, decrease the amount by $3,035,000,000.

On page 40, line 15, decrease the amount by $3,035,000,000.

On page 40, line 18, decrease the amount by $3,789,000,000.

On page 40, line 19, decrease the amount by $3,789,000,000.

On page 40, line 22, decrease the amount by $4,376,000,000.

On page 40, line 23, decrease the amount by $4,376,000,000.

On page 41, line 2, decrease the amount by $4,974,000,000.

On page 41, line 3, decrease the amount by $4,974,000,000.

On page 41, line 6, decrease the amount by $5,588,000,000.

On page 41, line 7, decrease the amount by $5,588,000,000.

On page 41, line 10, decrease the amount by $7,219,000,000.

On page 41, line 11, decrease the amount by $7,219,000,000.

On page 41, line 14, decrease the amount by $10,657,000,000.

On page 41, line 15, decrease the amount by $10,657,000,000.

On page 41, line 18, decrease the amount by $15,140,000,000.

On page 41, line 19, decrease the amount by $15,140,000,000.

On page 45, line 24, strike the amount and insert ''$323,284,000,000.''

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. BREAUX. Mr. President, we have worked in a bipartisan fashion. This amendment is sponsored by myself, Senator VOINOVICH from Ohio, Senator BAUCUS, and also Senator SNOWE. We have believed there ought to be a way of reaching an agreement on the size of the tax cut that is reasonable and more balanced than the $626 billion tax cut currently pending before the Senate.

There are some who have suggested that we would like to have no tax cut whatsoever. That would probably be the better course of action, if we could find the votes to do that, because conditions are dramatically different from what they were the last time we considered a major tax cut.

The last time we did a tax cut, we had a $5.6 trillion surplus. We do not have that surplus. In fact, we have a $300 billion deficit facing us. There is no pot of money to which we can go to have a large tax cut of that magnitude.

In addition to that, we are at war. We are not at peace.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time in opposition?

The Senator from Oklahoma.

Mr. NICKLES. Mr. President, it is my belief that if this amendment passed, we would take the growth out of the growth package. I call upon my colleague, the chairman of the Finance Committee.

The PRESIDING OFFICER. The Senator from Oklahoma has claimed the 1 minute in opposition. The Senator from Oklahoma has 1 minute remaining.

Mr. BREAUX. Mr. President, I make a point of order. I understood that the Budget chairman asked that we have 10 minutes on this because of the importance of the amendment.

The PRESIDING OFFICER. The request was for 10 minutes on the vote. Amendments have been given 2 minutes on each side, equally divided.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I ask unanimous consent that there be 5 minutes on each side for this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Louisiana.

Mr. BREAUX. I thank the distinguished chairman. I apologize for the misunderstanding. I will ask the cosponsors if they would like to make a comment.

The point is that we are at war. Turn on the television. Our men and women are fighting in the deserts of Iraq right now. We are being asked to cut tax revenues by $626 billion to pay for those functions. It would be one thing if we had a surplus out of which to take it. We do not. We are taking it out of a deficit. We are cutting taxes at a time of uncertainty while we are in the middle of a war. If we do need a tax cut of that magnitude, I would suggest we do it after the conflict is over, after we know how much it has cost, after we know how much we need to spend on programs such as Medicare and prescription drugs which are not included in this budget whatsoever.

The better course of action would be to adopt our amendment. It presents a $350 billion tax cut, which is half of what is pending right now, and it uses the remainder of those savings, which would be $275 billion, for deficit reduction.

Some may say, ''That is not what I would like to do,'' but I think this is something that is politically possible to accomplish. We can always come back and increase the tax cut. That will be easy to do, if we know how much money we have to deal with. We simply do not know that now.

The wiser course of action would be to do what this amendment would do. I ask for a favorable vote for the bipartisan amendment.

I reserve any time I may have.

The PRESIDING OFFICER. The Senator reserves the remainder of his time.

Ms. SNOWE. Mr. President, our amendment is straightforward, responsible and practical. It reflects the reality of the confluence of circumstances we face—a war on terrorism and in Iraq, a struggling economy, increased homeland security needs, and increased Federal deficits, with this year's projected deficit already having increased by more than 54 percent.

The amendment is a carefully calibrated, balanced approach to respond to two compelling needs—first, to provide immediate, short-term stimulus to an economy that has lost 2.3 million jobs and, second, to avoid driving up deficits over the long term which, in turn, lead to increased long-term interest rates that would stagnate our economy.

Our approach is simple—we differentiate between those aspects of the growth package that truly provide quick, short-term economic stimulus and those that do not. For those that don't, let's debate them later, and if they have merit, let's pay for them as we go, not with deficit spending that threatens our economy in the future as well as our ability to address pressing national priorities such as strengthening Social Security and Medicare as baby boomers begin to retire in 2008.

Mr. President, our measure provides a ''right-sized'' stimulus of $350 billion while committing $376 billion to deficit reduction. It deserves strong bipartisan support, and I hope my colleagues will vote for this amendment.

I yield the floor.

Mr. KOHL. Mr. President, I rise today in support of the Breaux amendment to S. Con. Res. 23, the budget resolution. This amendment directs the Finance Committee to limit the amount of tax cuts that could be passed through the fast track reconciliation procedure to $350 billion over 11 years. The budget before us includes over twice that much in its so-called must pass economic stimulus package.

It is astounding to me that, on the eve of war, we are seriously contemplating $725 billion in tax cuts in the same budget that does not include a dime for the war or its associated costs. Our budget is a statement of priorities. Do we really mean to say that giving a tax break primarily to upper income taxpayers is 725 billion times more important than adequately fighting the war, rebuilding Iraq, and protecting our communities for relatiatory terrorist attacks?

Of course not. No one thinks that. But I do believe that some are using the diversion of war to rush through a tax cut that is fiscally irresponsible. No one wants to return to the days of deficit as far as the eye can see and debt capable of dragging our country down for decades. but that is what we'll get when we add a $725 billion tax cut to the necessary and massive costs of the war.

The Breaux amendment brings the fast-tract tax cut down to $350 billion. I would prefer it to go much lower than that. In fact, I would prefer delaying all tax cuts and spending increases until we can put together an honest budget that looks at what we can afford to do in light of what we must do. But if the choice is between $725 billion for an ill-timed, ill-conceived idea and $350 billion for an ill-timed, ill-conceived idea, I will pick the latter and urge my colleagues to do the same.

Mr. HATCH. Mr. President, I rise today to urge my colleagues to reject the Breaux amendment to the budget resolution that would reduce the size of the President's growth and jobs plan to $350 billion. I think my colleagues all recognize that such a drastic reduction in the size of the growth package would make it most difficult for the Finance Committee to include the Bush proposal to eliminate the taxation on corporate dividends.

I know that a number of my colleagues have their doubts about the President's proposal to eliminate the double tax on dividends, and I would like to take a few moments to try to persuade them to support the President's proposal. Today, I will address two aspects of this important issue—how ending this double tax will help today's seniors, and how ending the double tax will impact our Nation's economic future.

First, let us talk about how the double taxation of dividends affects older Americans.

Our Nation's seniors have spent decades working long, hard hours, scrimping and saving for a well-deserved retirement, only to find that no matter how old they get, the tax man still has them in his sights. Age brings wisdom, but not tax relief.

Fifteen or 20 years ago, it was common tax-planning wisdom to defer one's income until the retirement years. Why? Because the tax rate faced by seniors was almost always lower then the tax rate paid during one's working years. Unfortunately, this is generally no longer the case. Millions of senior citizens are now paying taxes at as high or higher a rate in retirement than they did during their working years.

This year, I want to help President Bush change all that. The President has a plan for cutting taxes for seniors, and I intend to work with him to put his plan into law. We want to dramatically reduce the marriage penalty for seniors, we want to expand the 10-percent income tax bracket, and we want to speed up all of the rate cuts that are scheduled to be phased in over the next few years.

And on top of all that we want to eliminate the double tax on the dividends that seniors receive. This is the right plan for America's seniors.

All of the items in the President's plan are good ideas, but as I mentioned, today I would like to put particular focus on ending the double tax on dividends.

Over half of all income tax filers over 65 years of age pay tax on dividends, and over one-third of all filers between 55 and 64 have taxable dividends. People saving for retirement, and people close to retirement or working for an early retirement are paying a double tax.

Why do we call this tax on dividends a double tax? This is because under current law, a corporation hands over more than a third of its profits to the Federal Government in taxes, and then when investors get their share of those profits in the form of dividends, we demand that investors have to pay regular income tax on those very same dividends.

As President Bush keeps reminding us, taking income once is fair, but taxing it twice is not.

By the time State taxes are factored in, the combined Federal and State tax rate can exceed 71 percent. This is wrong, and it distorts the economy and correcting it will give many benefits to taxpayers and to the Nation as a whole.

We need to remember that this is not a question of rich versus poor. Older Americans with modest incomes receive substantial stock dividends. In fact, more than half of tax filers over the age of 65 earning between $30,000 and $40,000 per year receive taxable dividend income: 50.9 percent, to be exact. And because our Nation's senior citizens have been so thrifty during their lives, these dividend payments are very often sizable.

Elderly Americans who receive dividends and earn between $30,000 and $40,000 per year in total income receive an average of $2,008 every year of that income as taxable dividends. Even retirees who earn $15,000 to $30,000 per year receive substantial dividends. Forth-four percent of the elderly in this category receive dividends, and these Americans have to pay a double tax on over $1,400 a year in dividends.

Older Americans across the income spectrum pay a double tax on their dividends, and it is time to end it. This will be a great boon to our Nation's elderly who have worked and saved throughout their lives for their retirement.

Now, I would like to turn to our Nation's economic future. A few weeks ago, Chairman Greespan came up to Capitol Hill and told us that ending the double tax dividends was good tax policy, but he wanted us to do it in a fiscally responsible manner. Now, think it is fiscally responsible to end the double tax on dividends. I have no doubt that the static revenue estimate for the President's proposal is far too high.

Over my 27 years in the Senate, I have seen time and time again that tax cuts turned out to cost a lot less than the official estimates. We saw it on the capital gains tax cut and we have seen it in other tax cuts too. And with a policy that is as good for the economy's long-run health as ending the double tax, I am confident that the official revenue estimates are going to be far worse than usual. This tax cut is going to change the way America does business, and it will increase savings and capital formation.

This is not just my opinion. The Heritage Foundation has used a mainstream economic model to look at how ending the double tax is likely to help the economy. They conclude that ending the double tax will be revenue-neutral by year 9. So even if Congress lets spending grow at the projected rate, this proposal is an 8-year investment in our economy's longrun health, and then it starts to pay for itself.

Now I would like to see spending grow slower than the projected rate, so that we can balance the budget faster and so we can increase the size of the private sector, but even if Congress fails to slow down spending, this is still good longrun tax policy. If people think that ending the double tax on dividends will blow a permanent hole in the budget, they are living in a world of pure static-model fantasy.

In addition, I should point out that the Heritage economic model completely ignored the long-term structural reforms that this tax cut will bring about, reforms that will reduce the risk of future corporate bankruptcies. I am going to discuss those reforms in just a moment. So I believe that those 9-year-break-even estimates should be treated as a worst case scenario.

That is why I believe that ending the double tax on dividends is fiscally responsible. I have already addressed how this will help middle-income retirees. Now I would like to delve into why I am convinced this is good for our economy's future. On this issue, I would like to quote Chairman Greenspan. This is what the Federal Reserve Chairman said a few weeks ago:

> I have always supported the elimination of the double taxation of dividends because I think it is a major factor restraining flexibility in our economy . . . and moving in the direction of improving flexibility has very large long-term payoffs.

Flexibility is an issue that Mr. Greenspan has emphasized a lot lately. He has reminded us, again and again, that our Government should do everything it can to make our economy as flexible as possible. Why does he want a flexible economy?

This is what he said, and I quote: ''The more flexible an economy, the greater its ability to self-correct in response to inevitable . . . disturbances, thus reducing the size'' of recessions. In plain English, he believes that if our economy is more flexible, then we will have smaller recessions, and less unemployment.

Further, Chairman Greenspan believes that Congress can do something about this. Congress can make the economy more flexible if we enact good policies, and we can make the economy less flexible if we enact bad policies. He said, and I quote, ''We should be placing special emphasis on searching for policies that will engineer still greater economic flexibility and [we should be] dismantling policies that contribute to unnecessary rigidity.''

And as the Chairman said, the double tax on dividends is a source of rigidity.

You might ask: How is cutting taxes supposed to make our economy more flexible?

Ending the double tax on dividends helps in two major ways: It cuts the risk of bankruptcy and it helps to make sure that investment funds flow to the right companies. Let me address these in order.

Why is it America's corporations load up on debt financing, despite the fact that high debt levels increase the risk of bankruptcy? Because our Nation's tax laws have always given them massive financial incentives to do just that.

The reason is simple. When a corporation pays interest to bondholders, that payment is taxed once—at the shareholder level. But when it pays dividends to stockholders, that payment is taxed twice—to both the corporation and the shareholder.

As leading finance scholars Richard Brealey and Stewart Myers write: ''[T]he . . . United States tax system clearly favors debt over equity financing.'' If you tax stock payments twice but you only tax debt payments once, it is clear what companies are going to do—they will finance most of their business by borrowing.

By loading up on tax deductible bonds and bank loans rather than issuing new shares of stock, corporations, increase their chance of going bankrupt. We have seen this play out with WorldCom, with US Air, and most recently United Airlines. The media's refrain is always the same: ''Today, a Fortune 500 company, burdened with debt, filed for protection from its creditors.''

Our Tax Code should not encourage this behavior.

When corporations load up on debt, they commit too much of their cash flow to making interest payments, and the threat of bankruptcy becomes all too real. Once we change this policy, businesses will find that they have people lined up out the door to buy stocks that pay dividends. When companies see the clamor for dividend-paying stocks, they will have a much stronger incentive to pay for new projects and new factories by issuing new shares of stock rather than running to the bank for a loan.

And then if times get tough, businesses will not be as likely to declare bankruptcy and head to Federal court for a painful reorganization. Instead, many companies will be able to cut their dividend to shareholders, and continue business more or less as usual. Lower dividends are bad news for shareholders, to be sure; but it will spare society the pain of bankruptcy.

Ending the double tax on dividends will not end the business cycle, but it will make it easier to recover from a recession. Bankruptcies spread the

pain of recession over months and years, and it can destroy sound companies that made the mistake of overpromising to banks and bondholders. This will not end bankruptcy, but it will prevent a few big ones now and then.

And this is not some untested pie-in-the-sky theory. All but two of our major trading partners give some kind of relief from the double tax on dividends. And the two countries that do not give relief—Ireland and Switzerland—already have much lower corporate tax rates than we do, so their double tax problem is not as bad as ours.

The mere fact that other countries are doing something does not prove that it is the right thing for the United States. What we want to know is, will our Nation get real, widespread benefits when we get rid of the double tax? Here we have to look at history.

New Zealand used to have a double tax on dividends, but they got rid of it in 1988. And what happened when they did that? When New Zealand completely eliminated the double tax on dividends, corporate debt levels fell, just as you would expect. Ending the double tax on dividends cut corporate debt levels in New Zealand, and ending the double tax on dividends will cut debt levels here, too. And our economy will be safer for it.

The Bush proposal to eliminate the double taxation of dividends will have a very positive effect on the economy, on seniors, on the tax system, and on taxpayers in general. I urge my colleagues to reject the Breaux amendment on the budget resolution, so that the Finance Committee can accommodate the dividends proposal in the tax bill we will be putting together in a few weeks.

Mr. KERRY. Mr. President, I rise to discuss an amendment offered by my good friend from Louisiana, Senator BREAUX. The amendment, which was No. 339 and has been described as the moderates tax amendment, would have reduced the size of the tax cut in the budget resolution from more than $700 billion to $350 billion. I would like the record to reflect exactly why it is that I voted for this amendment.

I voted for the amendment offered by Senator BREAUX because it presented our best chance to cut the size of the irresponsible tax cut in this budget. Let me be clear, Mr. President, I do not support a $350 billion tax cut as part of this budget. Had the Breaux amendment passed, I would have sought further reductions in the tax cut.

Today, America is at war in Iraq. We have troops in Afghanistan and the Philippines. We are fighting to keep our homeland safe from terrorism. We have pressing needs in health care, education, and other areas. The Nation is running deficits. State and local governments are in fiscal crisis. The economy is slumping. For these reasons, a $350 billion tax cut, just like a $700 billion tax cut, is wrong. Both proposals will dump debt on our children. And the President's plan is not only too big, but it unfairly favors the wealthiest among us over working families.

I have filed at the desk an amendment to this budget that I believe charts the right course. Consumer confidence is at its lowest level in 10 years. Some 300,000 Americans lost their jobs in February. State and local governments are in trouble. Families and businesses are hurting. We are running huge deficits, and we are at war.

Our economy needs help. Working families need help. But we shouldn't be burdening future generations with more debt. My amendment provides for a $150 billion tax cut for all Americans this year and next and it is paid for in the outyears. It will stimulate our economy without sticking our kids with the bill.

Without taking a dime out of Social Security or Medicare, we can give every American worker a one-time payroll tax holiday of more than $750 that is far more than President Bush's tax plan. We could pass a temporary job creation tax credit and help small businesses, all without adding to the ''debt tax'' on future generations.

It we pass the budget now before us—if we pass the President's plan—we will be spending our kids' money—and that is wrong. We need a tax cut that goes to working people who will spend the money—and we need a tax cut that is paid for. Let's do what is right and pass a real stimulus package, and let us do what average Americans do: Let's pay for it.

Mr. NICKLES. I yield 2½ minutes to the chairman of the Finance Committee.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, obviously we need to be very bold in our response to the flagging economy. It is our obligation to the folks who sent us here. We need to respond. Both sides agree on that need, as do the centrists led by Senators BREAUX and SNOWE. The question is a difference of the size of the tax cut. I say be bold. We want American businesses, small and large, to grow. We want every American who wants a job to be able to get a job. We don't want to take any chances.

I understand the concerns of my friends from the centrist coalition. They are worried about long-term deficits. I am as well. I am more worried, though, about the spending side of the ledger. Senators BREAUX and SNOWE have a long history of trying to secure bipartisan consensus. We need more than $350 billion in tax relief to do the job the right way.

Don't get me wrong. If $350 billion is the number, that is the number that, as chairman of the Senate Finance Committee, I will work with. The Finance Committee will develop the best package we can. My point is, the Finance Committee can do more growth incentives with a number above $350 billion.

There is a war going on. When those men and women come home from the battlefield, we want a growing economy so that those folks will have jobs.

Mr. BREAUX. Mr. President, I yield the remainder of my time to the Senator from Ohio.

Mr. VOINOVICH. Mr. President, I want to share with my colleagues the fact that the budget deficit for 2003 and 2004, including Social Security and the cost of the war, is going to be over $500 billion. Again, in 2003 and 2004, including Social Security, it will be a half trillion dollars.

This amendment basically says the tax package will be at $350 billion. It also says if this Congress decides to go over $350 billion, we ought to offset it either by cutting expenses or, in the alternative, increasing other taxes that are less stimulative to the economy, and paying for a tax reduction that is more stimulative to the economy. It makes sense.

We are on the edge of a fiscal crisis in this country if we keep going the way we are, particularly with the war that is hanging over us today.

Mr. NICKLES. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has 3 minutes 18 seconds.

Mr. NICKLES. Mr. President, I urge my colleagues to vote no on this amendment. I have great respect for my colleagues from Louisiana and Ohio, and the others who have sponsored the amendment. But it would basically gut the President's growth package, cut it in half. The actual tax cut would be $323 billion. We have an economy that is over $10 trillion or $11 trillion per year. Estimated revenues over this period of time are going to be $27 billion. If you want to make some changes that really stimulate and grow the economy and create jobs, I think the President has the proposal to do so. I am afraid that the proposal that would have $323 billion just would not do it. When we reduced the capital gains tax in 1997 from 28 to 20 percent, we created a lot of growth. That was a positive thing to do.

The President has a good proposal to grow the economy as well. I urge my colleagues to support the President and a real growth package that would really create jobs.

Then, on the concern for deficit reduction, I heard some people say it, but I don't see the votes showing the same conviction on deficit reduction with all the add-ons that we have been looking at in the last couple of days.

So I urge my colleagues to vote no on this amendment.

The PRESIDING OFFICER. Who yields time? There are 2 minutes 20 seconds remaining.

Mr. BREAUX. Mr. President, I will conclude my comments on this amendment by saying I think those who are concerned about fiscal discipline should be concerned about the state of the economy of this country. We are at war. We are not at peace.

We do not have a surplus of $5.6 trillion as we had the last time we did a major tax cut. We have no surplus at all. We are in deficit and we are increasing the deficit by a huge amount of money at a time of war and uncertainty in this country.

I think the conservative thing to do is be more careful with tax cuts. They are great things politically, but they are not free; we have to pay for them. We would be paying for it out of the deficit, and I think that is a serious mistake. We need to be responsible, and this amendment brings about a degree of responsibility that we all should be able to support.

The PRESIDING OFFICER. Who yields time? The Senator from Oklahoma has 2 minutes and the Senator from Louisiana has—

Mr. BREAUX. I will not yield my time back. I have 2 other cosponsors who would like to be heard.

I yield to the Senator from Maine.

Ms. SNOWE. I want to make a couple of points. This amendment is straightforward, practical, prudent, proportional; it is a carefully calibrated approach in terms of whether we can afford a certain size growth plan. That is why we made the decision.

It wasn't a question of splitting the difference; it was a question of making a distinction in terms of what constitutes a stimulus, what we can afford to pay for, and what we cannot afford to pay for. That is how I approached this amendment.

I think it is important that we think carefully if we want to provide deficit financing for nonstimulative proposals. Finally, I should make the point that we see deficits way into the future, until the year 2013, at a time in which we have to address Social Security and Medicare. We cannot diminish our ability to address those critical programs and the challenges they face.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I have two additional points: One, we have never reduced taxes in a time of war. That is not the American way. We do not reduce taxes in a time of war. I ask you to just look at the TV screens. We are going to be over there for quite a while, in one way or another.

Two, there are many ways to stimulate the economy, not only through tax reductions. It is also by spending. We are spending dollars on homeland security. I urge my colleagues to vote for this amendment.

Mr. NICKLES. Mr. President, most individuals in this body support some size of growth package. A few were at zero, a few at $140 billion, some $350 billion, and some are with the President's package, which is $696 billion—$725 billion if you add refundables.

I yield time to Senator ALLARD.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. ALLARD. Mr. President, I compliment the chairman of the Budget Committee. He put together a very responsible budget that includes a sizable tax cut—much more than the $350 billion that this amendment talks about. He eliminates the deficit within the 10-year period. It was a hard decision to make, but we need to cut taxes in order to stimulate the economy, if we really want to have the revenues as we move out in order to help pay for the war. We know that it is static scoring.

The President has come up with a plan that will truly stimulate the economy. I think the chairman of the Finance Committee has come up with an equally effective plan. We need to support the tax cut.

Mr. NICKLES. I yield the remainder of my time to the Senator from New Mexico.

Mr. DOMENICI. How much time is that, Mr. President?

The PRESIDING OFFICER. It is 40 seconds.

Mr. DOMENICI. I thank the Senator. First, I believe we have an excellent budget. Frankly, we are charged with a lot of things that we are going to try to do. Most important, we have to find something that will stimulate this economy. I, frankly, believe the President has come up with something very innovative, exciting, and it is apt to work; that is, to change the long-standing double taxation of dividends.

Frankly, I am not sure we know how to stimulate this economy with reference to tax cuts, but I do believe we know how to make this economy work far better if we change that part of our Tax Code. I think we should leave the tax numbers as they are and vote the amendment down.

The PRESIDING OFFICER. The Senator's time has expired.

AMENDMENT NO. 386 TO AMENDMENT NO. 339, AS MODIFIED

Mr. HARKIN. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN] proposes an amendment numbered 386 to amendment number 339, as modified.

Mr. HARKIN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To reduce the reconciliation instruction by $375 billion, reduce the size of tax cuts allowed by $980 billion, and to reduce deficits by $1.1 Trillion)

Strike all of the words after the words ''On Page 3,'' on page 1, line 1 of the amendment and insert the following:

On Page 3, line 9, increase the number by $10,433,000,000.

On Page 3, line 10, increase the number by $23,015,000,000.

On Page 3, line 11, increase the number by $17,962,000,000.

On Page 3, line 12, increase the number by $19,206,000,000.

On Page 3, line 13, increase the number by $20,586,000,000.

On Page 3, line 14, increase the number by $23,299,000,000.

On Page 3, line 15, increase the number by $27,640,000,000.

On Page 3, line 16, increase the number by $34,036,000,000.

On Page 3, line 17, increase the number by $169,271,000,000.

On Page 3, line 18, increase the number by $264,611,000,000.

On Page 3, line 19, increase the number by $290,654,000,000.

On Page 3, line 23, increase the number by $10,433,000,000.

On Page 4, line 1, increase the number by $23,015,000,000.

On Page 4, line 2, increase the number by $17,962,000,000.

On Page 4, line 3, increase the number by $19,206,000,000.

On Page 4, line 4, increase the number by $20,586,000,000.

On Page 4, line 5, increase the number by $23,299,000,000.

On Page 4, line 6, increase the number by $27,640,000,000.

On Page 4, line 7, increase the number by $34,036,000,000.

On Page 4, line 8, increase the number by $169,271,000,000.

On Page 4, line 9, increase the number by $264,611,000,000.

On Page 4, line 10, increase the number by $280,654,000,000.

On Page 4, line 14, decrease the number by $77,000,000.

On Page 4, line 15, decrease the number by $718,000,000.

On Page 4, line 16, decrease the number by $1,974,000,000.

On Page 4, line 17, decrease the number by $3,226,000,000.

On Page 4, line 18, decrease the number by $4,552,000,000.

On Page 4, line 19, decrease the number by $6,016,000,000.

On Page 4, line 20, decrease the number by $8,757,000,000.

On Page 4, line 21, decrease the number by $9,871,000,000.

On Page 4, line 22, decrease the number by $15,921,000,000.

On Page 4, line 23, decrease the number by $29,249,000,000.

On Page 4, line 24, decrease the number by $44,298,000,000.

On Page 5, line 4, decrease the number by $77,000,000.

On Page 5, line 5, decrease the number by $718,000,000.

On Page 5, line 6, decrease the number by $1,974,000,000.

On Page 5, line 7, decrease the number by $3,226,000,000.

On Page 5, line 8, decrease the number by $4,552,000,000.

On Page 5, line 9, decrease the number by $6,016,000,000.

On Page 5, line 10, decrease the number by $8,757,000,000.

On Page 5, line 11, decrease the number by $9,871,000,000.

On Page 5, line 12, decrease the number by $15,921,000,000.

On Page 5, line 13, decrease the number by $29,249,000,000.

On Page 5, line 14, decrease the number by $44,298,000,000.

On Page 5, line 17, increase the number by $10,511,000,000.

On Page 5, line 18, increase the number by $23,733,000,000.

On Page 5, line 19, increase the number by $19,935,000,000.

On Page 5, line 20, increase the number by $22,432,000,000.

On Page 5, line 21, increase the number by $25,138,000,000.

On Page 5, line 22, increase the number by $29,675,000,000.

On Page 5, line 23, increase the number by $35,397,000,000.

On Page 5, line 24, increase the number by $43,907,000,000.

On Page 5, line 25, increase the number by $185,184,000,000.

On Page 6, line 1, increase the number by $283,057,000,000.

On Page 6, line 2, increase the number by $335,542,000,000.

On Page 6, line 5, decrease the number by $10,511,000,000.

On Page 6, line 6, decrease the number by $34,344,000,000.

On Page 6, line 7, decrease the number by $55,179,000,000.

On Page 6, line 8, decrease the number by $76,661,000,000.

On page 6, line 8, decrease the amount by $101,849,000,000.

On page 6, line 9, decrease the amount by $131,064,000,000.

On page 6, line 10, decrease the amount by $131,069,000,000.

On page 6, line 11, decrease the amount by $166,641,000,000.

On page 6, line 12, decrease the amount by $210,368,000,000.

On page 6, line 13, decrease the amount by $395,559,000,000.

On page 6, line 14, decrease the amount by $788,716,000,000.

On page 6, line 15, decrease the amount by $1,014,358,000,000.

On page 6, line 18, decrease the amount by $10,511,000,000.

On page 6, line 19, decrease the amount by $34,244,000,000.

On page 6, line 20, decrease the amount by $54,179,000,000.

On page 6, line 21, decrease the amount by $76,611,000,000.

On page 6, line 22, decrease the amount by $101,749,000,000.

On page 6, line 23, decrease the amount by $131,064,000,000.

On page 6, line 24, decrease the amount by $176,461,000,000.

On page 6, line 25, decrease the amount by $210,368,000,000.

On page 7, line 1, decrease the amount by $395,589,000,000.

On page 7, line 2, decrease the amount by $739,316,000,000.

On page 7, line 3, decrease the amount by $1,014,258,000,000.

On page 40, line 2, decrease the amount by $77,000,000.

On page 40, line 3, decrease the amount by $77,000,000.

On page 40, line 6, decrease the amount by $718,000,000.

On page 40, line 7, decrease the amount by $718,000,000.

On page 40, line 10, decrease the amount by $1,974,000,000.

On page 40, line 11, decrease the amount by $1,974,000,000.

On page 40, line 14, decrease the amount by $3,226,000,000.

On page 40, line 15, decrease the amount by $3,226,000,000.

On page 40, line 18, decrease the amount by $4,552,000,000.

On page 40, line 19, decrease the amount by $4,552,000,000.

On page 40, line 22, decrease the amount by $6,016,000,000.

On page 40, line 23, decrease the amount by $6,016,000,000.

On page 41, line 2, decrease the amount by $7,757,000,000.

On page 41, line 3, decrease the amount by $7,757,000,000.

On page 41, line 6, decrease the amount by $9,871,000,000.

On page 41, line 7, decrease the amount by $9,871,000,000.

On page 41, line 10, decrease the amount by $15,921,000,000.

On page 41, line 11, decrease the amount by $15,921,000,000.

On page 41, line 14, decrease the amount by $28,546,000,000.

On page 41, line 15, decrease the amount by $28,546,000,000.

On page 41, line 18, decrease the amount by $44,888,000,000.

On page 41, line 19, decrease the amount by $44,888,000,000.

On page 45, line 24, strike the amount and insert $373,284,000,000.

Mr. HARKIN. I ask for 1 minute.

The PRESIDING OFFICER. Is there objection?

The Senator is recognized for 1 minute.

Mr. HARKIN. Mr. President, my amendment simply holds the size of the tax cut to $350 billion. Any tax cuts beyond $350 billion would have to be offset under my amendment or they would face a budget point of order requiring 60 votes. Many colleagues may say, wait a minute, I thought that was what the underlying amendment does. The underlying amendment still allows for $940 billion in tax cuts in the future. It does reduce down to $350 billion the amount of tax cut under reconciliation, but it still allows for $600 billion more in tax cuts.

My amendment says $350 billion, and cap it at that. No more. Any tax breaks beyond that would either have to be offset or it would require 60 votes to overcome a point of order. It is very simple. It is a cap of $350 billion on tax cuts.

Mr. NICKLES. Mr. President, I ask unanimous consent to speak for 1 minute in opposition to the Harkin amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. NICKLES. Mr. President, for the information of our colleagues, we have had great cooperation on this bill. We have not had second-degree amendments. We have tried to avoid them and be expeditious.

We have not seen this amendment. I do know the effect of this amendment would be in the outyears we would be taking a 10-percent rate and making it 15 percent. I do know in the outyears we would eliminate the marriage penalty relief. I do know the effect of it would be reduce the child tax credit from $1,000 to $500.

I urge my colleagues to vote in favor of a motion to table the Harkin amendment. I make that motion.

Mr. HARKIN. I ask for the yeas and nays.

Mr. NICKLES. I make the motion to table the Harkin amendment.

The PRESIDING OFFICER. A motion has been made to table.

Mr. NICKLES. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 58, nays 42, as follows:

[Rollcall Vote No. 75 Leg.]

YEAS—58

Alexander	DeWine	Miller
Allard	Dole	Murkowski
Allen	Domenici	Nelson (FL)
Baucus	Ensign	Nelson (NE)
Bayh	Enzi	Nickles
Bennett	Fitzgerald	Roberts
Bond	Frist	Santorum
Breaux	Graham (SC)	Sessions
Brownback	Grassley	Shelby
Bunning	Gregg	Smith
Burns	Hagel	Snowe
Campbell	Hatch	Specter
Chafee	Hollings	Stevens
Chambliss	Hutchison	Sununu
Cochran	Inhofe	Talent
Coleman	Kyl	Thomas
Collins	Lott	Voinovich
Cornyn	Lugar	Warner
Craig	McCain	
Crapo	McConnell	

NAYS—42

Akaka	Durbin	Leahy
Biden	Edwards	Levin
Bingaman	Feingold	Lieberman
Boxer	Feinstein	Lincoln
Byrd	Graham (FL)	Mikulski
Cantwell	Harkin	Murray
Carper	Inouye	Pryor
Clinton	Jeffords	Reed
Conrad	Johnson	Reid
Corzine	Kennedy	Rockefeller
Daschle	Kerry	Sarbanes
Dayton	Kohl	Schumer
Dodd	Landrieu	Stabenow
Dorgan	Lautenberg	Wyden

The motion was agreed to.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 339, as modified.

Mr. NICKLES. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 38, nays 62, as follows:

[Rollcall Vote No. 76 Leg.]

YEAS—38

Baucus	Edwards	Murray
Bayh	Feingold	Nelson (FL)
Biden	Graham (FL)	Nelson (NE)
Bingaman	Inouye	Pryor
Boxer	Johnson	Reid
Breaux	Kerry	Rockefeller
Cantwell	Kohl	Sarbanes
Carper	Landrieu	Schumer
Conrad	Leahy	Snowe
Corzine	Levin	Stabenow
Daschle	Lieberman	Voinovich
Dayton	Lincoln	Wyden
Dorgan	Mikulski	

NAYS—62

Akaka	Cochran	Fitzgerald
Alexander	Coleman	Frist
Allard	Collins	Graham (SC)
Allen	Cornyn	Grassley
Bennett	Craig	Gregg
Bond	Crapo	Hagel
Brownback	DeWine	Harkin
Bunning	Dodd	Hatch
Burns	Dole	Hollings
Byrd	Domenici	Hutchison
Campbell	Durbin	Inhofe
Chafee	Ensign	Jeffords
Chambliss	Enzi	Kennedy
Clinton	Feinstein	Kyl

Lautenberg	Nickles	Specter
Lott	Reed	Stevens
Lugar	Roberts	Sununu
McCain	Santorum	Talent
McConnell	Sessions	Thomas
Miller	Shelby	Warner
Murkowski	Smith	

The amendment (No. 339), as modified, was rejected.

Mr. LOTT. Mr. President, I move to reconsider the vote.

Mr. CRAIG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, in our list of amendments that we are working on, Senator KENNEDY is next. I believe we will be able to work that amendment out so we will not have to have a Gregg amendment as well. We will pass on both of those and probably accept Senator KENNEDY's amendment as modified in just a moment.

The next amendment on our list will be an amendment by the Senator from West Virginia, Senator BYRD.

Mr. President, can we have Senator BYRD's Amtrak amendment.

The PRESIDING OFFICER. It has not yet been sent to the desk.

Mr. NICKLES. Does the Senator from West Virginia have the amendment? If not, we will find a copy of it.

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 387

Mr. BYRD. Mr. President, I have an amendment. I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from West Virginia (Mr. BYRD) proposes an amendment numbered 387.

(Purpose: To provide adequate funds for the National Railroad Passenger Corporation (Amtrak))

On page 3, line 10, increase the amount by $912,000,000.

On page 4, line 1, increase the amount by $912,000,000.

On page 4, line 15, increase the amount by $912,000,000.

On page 5, line 5, increase the amount by $912,000,000.

On page 21, line 23, increase the amount by $912,000,000.

On page 21, line 24, increase the amount by $912,000,000.

On page 47, line 5, increase the amount by $912,000,000.

On page 47, line 6, increase the amount by $912,000,000.

Mr. BYRD. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will come to order.

The Senator from West Virginia is recognized for 1 minute on his amendment.

Mr. BYRD. Mr. President, the budget resolution currently before the Senate cuts funding for Amtrak by almost 22 percent. There is no question that this funding level will put Amtrak into bankruptcy during the next fiscal year. We must not let that happen. The bipartisan Amtrak board of directors has stated that Amtrak needs $1.8 billion next year to operate all its trains and make a minimum level of capital investment. That board includes several Republicans.

This amendment that I offer with Senator LAUTENBERG would fund Amtrak at that $1.8 billion level. It is paid for by reducing the tax cut by just $900 million for 1 year. We need to stop having our national passenger railroad service just survive from one financial crisis to the next. We need to allow the next president of Amtrak to continue to reform Amtrak, rather than oversee its liquidation.

I encourage all Senators to save rail service in this country and support this amendment.

Mr. SPECTER. Mr. President, I will vote in favor of the Byrd amendment to the fiscal year 2004 budget resolution to increase Amtrak's budget in fiscal year 2004 from $900 million to $1.8 billion because this level of funding is critical for Amtrak's continued operations next year. Without this additional funding, Amtrak would be forced to entirely shut down its operations.

This amendment does not take funding from the President's $726 billion growth package. This additional $900 million is offset from the $600 billion in tax cuts over the 10 years just as the $1.8 billion, accepted by Senator NICKLES, on the Kennedy amendment to add to the Pell Grants.

I am committed to the specified tax cuts over the next 10 years and there will be ample time to reallocate the $900 million for Amtrak as well as the $1.8 billion for the Pell Grants.

The PRESIDING OFFICER. Who yields time in opposition? The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I urge our colleagues to vote no on this amendment. I have the greatest respect for Senator BYRD and his support of Amtrak. I happen to be a supporter of Amtrak. But the net essence of this amendment would be to double the amount of money we have for Amtrak. We proposed $900 million. That happens to be what the Department of Transportation has requested. I remind our colleagues, a few years ago we were going to say that Amtrak would not need subsidies by this year.

If you look, this would more than double the amount of money. The largest subsidy it has ever received was last year and that was because of the supplemental, so to go from $490 million to 1.8 is more than doubling the Federal subsidies to Amtrak. Right now the cost in some cases from city to city exceeds that of air passenger service. I urge my colleagues to vote no on the amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 387.

Mr. BYRD. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 77 Leg.]

YEAS—51

Akaka	Dorgan	Levin
Baucus	Durbin	Lieberman
Bayh	Edwards	Lincoln
Biden	Feingold	Mikulski
Bingaman	Feinstein	Murray
Boxer	Graham (FL)	Nelson (FL)
Breaux	Harkin	Nelson (NE)
Byrd	Hollings	Pryor
Cantwell	Inouye	Reed
Carper	Jeffords	Reid
Chafee	Johnson	Rockefeller
Clinton	Kennedy	Sarbanes
Conrad	Kerry	Schumer
Corzine	Kohl	Snowe
Daschle	Landrieu	Specter
Dayton	Lautenberg	Stabenow
Dodd	Leahy	Wyden

NAYS—49

Alexander	Dole	McConnell
Allard	Domenici	Miller
Allen	Ensign	Murkowski
Bennett	Enzi	Nickles
Bond	Fitzgerald	Roberts
Brownback	Frist	Santorum
Bunning	Graham (SC)	Sessions
Burns	Grassley	Shelby
Campbell	Gregg	Smith
Chambliss	Hagel	Stevens
Cochran	Hatch	Sununu
Coleman	Hutchison	Talent
Collins	Inhofe	Thomas
Cornyn	Kyl	Voinovich
Craig	Lott	Warner
Crapo	Lugar	
DeWine	McCain	

The amendment (No. 387) was agreed to.

Mr. BYRD. Mr. President, I move to reconsider the vote.

Mr. LAUTENBERG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Massachusetts.

AMENDMENT NO. 311, AS MODIFIED

Mr. KENNEDY. Mr. President, I call up amendment No. 311. I send a modification to the desk and ask unanimous consent for its consideration.

The PRESIDING OFFICER. Is there objection to modifying the amendment?

Without objection, it is so ordered.

The legislative clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY], for himself and Mr. DODD, Mr. DASCHLE, Mr. FEINGOLD, Mr. BINGAMAN, Mrs. MURRAY, Mr. REED, Ms. CANTWELL, and Ms. COLLINS, proposes an amendment numbered 311, as modified.

Mr. KENNEDY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, as modified, is as follows:

(Purpose: To increase the maximum Pell Grant from $4,050 to $4,500 at a cost of $1.8 billion and reduce the public debt by an additional $1.8 billion, both paid for by a reduction in the non-reconciliation tax cut)

On page 3, line 10, increase the amount by $360,000,000.

On page 3, line 11, increase the amount by $1,404,000,000.

On page 3, line 2, increase the amount by $36,000,000.

On page 4, line 1, increase the amount by $360,000,000.

On page 4, line 2, increase the amount by $1,404,000,000.

On page 4, line 3, increase the amount by $36,000,000.

On page 4, line 15, increase the amount by $1,800,000,000.

On page 5, line 5, increase the amount by $360,000,000.

On page 5, line 6, increase the amount by $1,404,000,000.

On page 5, line 7, increase the amount by $36,000,000.

On page 25, line 16, increase the amount by $1,800,000,000.

On page 25, line 17, increase the amount by $360,000,000.

On page 25, line 21, increase the amount by $1,404,000,000.

On page 25, line 25, increase the amount by $36,000,000.

On page 47, line 5, increase the amount by $1,800,000,000.

On page 47, line 6, increase the amount by $360,000,000.

On page 47, line 15, increase the amount by $1,404,000,000.

Mr. KENNEDY. Mr. President, I have offered this amendment on behalf of myself, Senators DODD, DASCHLE, FEINGOLD, BINGAMAN, MURRAY, REED, CANTWELL, and COLLINS. This amendment increases the maximum Pell grant by $500 at a total cost of $1.8 billion. It pays for those changes by reducing the nonreconciliation tax cut by $1.8 billion. If we do not accept this amendment, there will be 110,000 young people who are attending colleges who will lose their Pell grants. With the acceptance of this amendment, there will be more than 200,000 new Pell grant recipients, and it will help immeasurably the 4.9 million Pell grant recipients who come from families who average $15,000 in income.

Among the education community and students, there is broad-based support for increasing the maximum Pell grant. The following groups have stated their support:

American Council on Education.

National Association of Independent Colleges and Universities.

American Association of State Colleges and Universities.

American Association of Community Colleges.

United Negro College Fund.

Coalition of Higher Education Organizations.

Unites States Public Interest Research Group.

United States Students' Association.

The National Association of State Universities and Land Grant Colleges.

National Association of Community College Trustees.

Student Aid Alliance—an umbrella group of over 60 higher education organizations which includes the groups I just mentioned, as well as: American Association of Colleges of Nursing, American Association of Colleges of Pharmacy, American Association of Colleges for Teacher Education, American Association of College Registrars and Admissions Officers, American Association for Higher Education, American Association of University Professors, American College Personnel Association, American College Testing, American Dental Education Association, American Indian Higher Education Consortium, American Jewish Congress, American Psychological Association, American Society for Engineering Education, American Student Association of Community Colleges, APPA: The Association of Higher Education Facilities Officers, Association of Academic Health Centers, Association of Advanced Rabbinical and Talmudic Schools, Association of American Law Schools, Association of American Medical Colleges, Association of Governing Boards of Universities and Colleges, Association of Jesuit Colleges and Universities, Career College Association, Citizen's Scholarship Foundation of America, Coalition of Higher Education Assistance Organizations, College and University Personnel Association for Human Resources, College Board, College Parents of America, Council for Advancement and Support of Education, Council for Christian Colleges and Universities, Council on Government Relations, Council of Graduate Schools, Council for Higher Education Accreditation, Council of Independent Colleges, Council for Opportunity in Education, Educational Testing Service, Hispanic Association of Colleges and Universities, Lutheran Educational Conference of North America, NAFSA: Association of International Educators, National Association for College Admission Counseling, National Association of College and University Business Officers, National Association for Equal Opportunity in Higher Education, National Association of Graduate and Professional Students, National Association of State Student Grant and Aid Programs, National Association of Student Financial Aid Administrators, National Association of Student Personnel Administrators, National College Access Network, National Collegiate Athletic Association, National Council of University Research Administrators, National Education Association, NAWE: Advancing Women in Higher Education, University Continuing Education Association, and the Women's College Coalition.

Mr. President, I ask unanimous consent that some of the letters from these organizations in support of this amendment and in support of increasing the maximum Pell grant be printed in the RECORD.

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

COMMITTEE FOR EDUCATION FUNDING,
Washington, DC, March 19, 2003.

MEMBER,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: The Committee for Education Funding, a nonpartisan coalition of 110 organizations reflecting the broad spectrum of the education community, strongly urges you to vote against passage of the House FY04 Budget Resolution, H. Con. Res. 95, reported out by the Budget Committee on March 12, 2003 and support amendments that restore cuts and increase education investment substantially. The Budget Resolution assumes a cut of 3 percent below the President's already low request for discretionary spending for education and related programs in Function 500, which includes vital funding for No Child Left Behind, students with disabilities, higher education, research, Head Start, and adult, vocational and technical education, and libraries. It also assumes terminating 46 important education programs totaling $1.6 billion. Moreover, it calls for a draconian cut of $9.7 billion over ten years for mandatory education spending on critical programs such as school lunch and student loans.

The budget resolution is especially objectionable in light of the urgent fiscal crisis in education resources at the state level; the escalating costs of federal standards and accountability requirements on elementary and secondary schools; and the explosion of enrollments of low-income postsecondary students. The federal commitment to education is now more crucial than ever to carry out school reform and ensure access to higher education for millions of students.

Again, we urge you to vote against the House Budget Resolution and support amendments that restore education cuts and make substantial increased education investments to move education from the current 2.8 cents on the federal budget dollar toward at least five cents and strengthen our economic and national security and the quality of education for all of America's students. Finally, we ask you to oppose amendments that increase funding for one education program by cutting another education program. Thank you for your support of education.

Sincerely,

DAN FULLER,
President.
EDWARD R. KEALY,
Executive Director.

STUDENT AID ALLIANCE,
Washington, DC, March 19, 2003.

Re: support Kennedy-Dodd amendment on Pell grants.

DEAR SENATOR: On behalf of the Student Aid Alliance—a coalition of over 60 higher education organizations representing students, parents, college presidents, financial aid administrators and others—we write to urge you to support an amendment to the FY 2004 Budget Resolution that will increase the Federal Pell Grant maximum grant by $450 to $4,500.

Should the funding of the Pell Grants increase by $1.8 billion, as proposed in the amendment, more low-income and first-generation students can pursue their higher education dreams. Many of these students are consumed with worry that the poor performance of the economy has seriously jeopardized their hope of college attendance. They are right to worry. Their concerns have a documented basis in fact: data from the Department of Education show that qualified low-income students are still only half as likely to enroll in a four-year institution.

The federal government's investment in student financial aid is less than one percent of federal spending, but as states continue to pull away from providing resources to the needy students, and as more students choose to pursue a college education, federal funding becomes even more essential.

Finally, the consequences of the Pell Grant amendment on the federal budget are negligible, but its consequences for the students in your state are significant. For them, it may mean the difference between going to college or not, or staying in college or not.

We strongly urge you to vote in favor of this important amendment.

Sincerely,

DAVID WARD,
Co-Chair.
DAVID WARREN,
Co-Chair.

ASSOCIATION OF JESUIT COLLEGES & UNIVERSITIES,
Washington, DC, March 19, 2003.

Hon. EDWARD KENNEDY,
U.S. Senate,
Washington, DC

DEAR SENATOR KENNEDY: On behalf of the Association of Jesuit Colleges and Universities (AJCU) and the twenty-eight institutions of higher education that we represent, I write in support of the Kennedy-Dodd Budget Amendment to increase the Pell grant maximum from $4,050 to $4,500 in FY04.

All of our Jesuit colleges and universities have been hard-pressed to meet the critical increase of over 25% in Pell eligible students over the past two years. Within one year, our 28 institutions had to increase the amount of institutional aid given to needy students by 10% to accommodate declining federal dollars. Institutional aid ranks as the highest funding category for our students at 47% on average, and federal aid dollars including Pell grants and campus-based aid programs totals 44%, while only 9% of aid originates from the states. Some of our institutions have been quite dependent upon state aid, but, because of the burgeoning state budget crisis, students have lost aid. For example, $1 million was cut in grant aid from the Illinois Grant Aid program for Loyola Chicago University students. Given the combination of state budget crisis and limited federal dollars, students are increasing loan debts, while institutions are increasing institutional aid. For many small and medium-sized institutions these institutional increases are straining the very financial fiber and well being of these colleges.

The economy has played another factor not only in diminishing college and university endowments, but, also in trying to raise endowment funding. Parents are really hard pressed because their savings have declined and their contributions have diminished substantially. Thus, the recession not only has impacted federal and state budgets, but also college and university budgets and in particular, parent's and student's budgets.

The Pell grant program remains the foundation program for providing more access for more students of need to secure a postsecondary education. Pell grants serve the neediest students across the country and open doors for many first generation students to pursue their dreams. Given the complex times that we live in, our primary purpose should always be to educate the best-educated populace in the world. An America that offers equal opportunity to those who are less affluent than others and who desperately want to contribute back to society. Thank you for your leadership in introducing this critical amendment. Our students are counting on your continued advocacy.

CHARLES L. CURRIE, SJ,
President.

Mr. KENNEDY. I have talked to the floor manager of the bill, and I hope he will be willing to accept it.

The PRESIDING OFFICER. Who yields time?

Mr. NICKLES. Mr. President, I appreciate the modification that my friend and colleague, Senator KENNEDY, made to this amendment. We have no objection to it.

The PRESIDING OFFICER. Is there further debate on the amendment?

The question is on agreeing to amendment No. 311, as modified.

The amendment (No. 311), as modified, was agreed to.

Mr. KENNEDY. Mr. President, I move to reconsider the vote.

Mr. NICKLES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. NICKLES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. NICKLES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NICKLES. I believe under the order that was established, Senator BIDEN is next up to offer an amendment.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. BIDEN. I have a modified version of amendment No. 278 that I will send to the desk with a list of cosponsors.

Mr. NICKLES. If the Senator will yield, I don't know that I have seen that modification. We are trying to clear these first.

Mr. BIDEN. I believe the modification has been cleared by staff. I may be mistaken.

Mr. NICKLES. Mr. President, I inquire of the Senator, is it No. 278 or No. 273?

Mr. BIDEN. Amendment No. 278.

Mr. NICKLES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. NICKLES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NICKLES. Mr. President, I believe the Senator from Delaware has an amendment.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Parliamentary inquiry: Is my modification at the desk?

The PRESIDING OFFICER. It is not.

AMENDMENT NO. 278, AS MODIFIED

Mr. BIDEN. Mr. President, I send a modification to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Delaware [Mr. BIDEN], for himself, Mr. SCHUMER, Mrs. CLINTON, Mr. KERRY, Mr. ROCKEFELLER, Mr. SARBANES, Mr. JOHNSON, Mr. LAUTENBERG, Mr. DAYTON, Mr. LIEBERMAN, Mr. LEAHY, Mrs. MURRAY, Mr. BAYH, Mr. CORZINE, Mr. BINGAMAN, Mr. PRYOR, Ms. CANTWELL, Mr. KOHL, Mr. DURBIN, Mr. JEFFORDS, Ms. MIKULSKI, Mr. REID, Ms. STABENOW, Mr. NELSON of Nebraska, Mrs. FEINSTEIN, and Mr. GRAHAM of Florida, proposes an amendment numbered 278, as modified.

The PRESIDING OFFICER. Is there objection to the modification?

Without objection, the amendment is modified.

The amendment, as modified, is as follows:

On page 3, line 10, increase the amount by $240,000,000.

On page 3, line 11, increase the amount by $560,000,000.

On page 3, line 12, increase the amount by $500,000,000.

On page 3, line 13, increase the amount by $700,000,000.

On page 4, line 1, increase the amount by $240,000,000.

On page 4, line 2, increase the amount by $560,000,000.

On page 4, line 3, increase the amount by $500,000,000.

On page 4, line 4, increase the amount by $700,000,000.

On page 4, line 15, increase the amount by $998,000,000.

On page 4, line 16, decrease the amount by $13,000,000.

On page 4, line 17, decrease the amount by $28,000,000.

On page 4, line 18, decrease the amount by $46,000,000.

On page 4, line 19, decrease the amount by $58,000,000.

On page 4, line 20, decrease the amount by $62,000,000.

On page 4, line 21, decrease the amount by $65,000,000.

On page 4, line 22, decrease the amount by $69,000,000.

On page 4, line 23, decrease the amount by $73,000,000.

On page 4, line 24, decrease the amount by $76,000,000.

On page 5, line 5, increase the amount by $118,000,000.

On page 5, line 6, increase the amount by $267,000,000.

On page 5, line 7, increase the amount by $222,000,000.

On page 5, line 8, increase the amount by $304,000,000.

On page 5, line 9, decrease the amount by $58,000,000.

On page 5, line 10, decrease the amount by $62,000,000.

On page 5, line 11, decrease the amount by $65,000,000.

On page 5, line 12, decrease the amount by $69,000,000.

On page 54, line 13, decrease the amount by $73,000,000.

On page 5, line 14, decrease the amount by $76,000,000.

On page 5, line 18, increase the amount by $122,000,000.

On page 5, line 19, increase the amount by $293,000,000.

On page 5, line 20, increase the amount by $278,000,000.

On page 5, line 21, increase the amount by $396,000,000.

On page 5, line 22, increase the amount by $58,000,000.

On page 5, line 23, increase the amount by $62,000,000.

On page 5, line 24, increase the amount by $65,000,000.

On page 5, line 25, increase the amount by $69,000,000.

On page 6, line 1, increase the amount by $73,000,000.

On page 6, line 2, increase the amount by $76,000,000.

On page 6, line 6, decrease the amount by $122,000,000.

On page 6, line 7, decrease the amount by $415,000,000.

On page 6, line 8, decrease the amount by $693,000,000.

On page 6, line 8, decrease the amount by $1,089,000,000.

On page 6, line 10, decrease the amount by $1,148,000,000.

On page 6, line 11, decrease the amount by $1,210,000,000.

On page 6, line 12, decrease the amount by $1,275,000,000.

On page 6, line 13, decrease the amount by $1,344,000,000.

On page 6, line 14, decrease the amount by $1,416,000,000.

On page 6, line 15, decrease the amount by $1,493,000,000.

On page 6, line 19, decrease the amount by $122,000,000.

On page 6, line 20, decrease the amount by $415,000,000.

On page 6, line 21, decrease the amount by $693,000,000.

On page 6, line 22, decrease the amount by $1,089,000,000.

On page 6, line 23, decrease the amount by $1,148,000,000.

On page 6, line 24, decrease the amount by $1,210,000,000.

On page 6, line 25, decrease the amount by $1,275,000,000.

On page 7, line 1, decrease the amount by $1,344,000,000.

On page 7, line 2, decrease the amount by $1,416,000,000.

On page 7, line 3, decrease the amount by $1,493,000,000.

On page 36, line 15, increase the amount by $1,000,000,000.

On page 36, line 16, increase the amount by $120,000,000.

On page 36, line 20, increase the amount by $280,000,000.

On page 36, line 24, increase the amount by $250,000,000.

On page 37, line 3, increase the amount by $350,000,000.

On page 40, line 6, decrease the amount by $2,000,000.

On page 40, line 7, decrease the amount by $2,000,000.

On page 40, line 10, decrease the amount by $13,000,000.

On page 40, line 11, decrease the amount by $13,000,000.

On page 40, line 14, decrease the amount by $28,000,000.

On page 40, line 15, decrease the amount by $28,000,000.

On page 40, line 18, decrease the amount by $46,000,000.

On page 40, line 19, decrease the amount by $46,000,000.

On page 40, line 22, decrease the amount by $58,000,000.

On page 40, line 23, decrease the amount by $58,000,000.

On page 41, line 2, decrease the amount by $62,000,000.

On page 41, line 3, decrease the amount by $62,000,000.

On page 41, line 6, decrease the amount by $65,000,000.

On page 41, line 7, decrease the amount by $65,000,000.

On page 41, line 10, decrease the amount by $69,000,000.

On page 41, line 11, decrease the amount by $69,000,000.

On page 41, line 14, decrease the amount by $73,000,000.

On page 41, line 15, decrease the amount by $73,000,000.

On page 41, line 18, decrease the amount by $76,000,000.

On page 41, line 19, decrease the amount by $76,000,000.

On page 47, line 5, increase the amount by $1,000,000,000.

On page 47, line 6, increase the amount by $120,000,000.

On page 47, line 15, increase the amount by $280,000,000.

On page 79, after line 22, add the following:

SEC. 308. FUNDING FOR DEPARTMENT OF JUSTICE COMMUNITY ORIENTED POLICING SERVICES PROGRAMS.

(a) FINDINGS.—The Senate finds that—

(1) State and local law enforcement officers provide essential services that preserve and protect our freedom and safety;

(2) with the support of the Community Oriented Policing Services program (referred to in this section as the ''COPS program''), State and local law enforcement officers have succeeded in dramatically reducing violent crime;

(3) the COPS program is the only program in the Federal government that provides homeland security resources directly to law enforcement first responders;

(4) on July 15, 2002, the Attorney General stated, ''Since law enforcement agencies began partnering with citizens through community policing, we've seen significant drops in crime rates. COPS provides resources that reflect our national priority of terrorism prevention.'';

(5) On February 26, 2002, the Attorney General stated, ''The COPS program has been a miraculous sort of success. It's one of those things that Congress hopes will happen when it sets up a program.'';

(6) the Federal Bureau of Investigation's Assistant Director for the Office of Law Enforcement Coordination has stated, ''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.'';

(7) as a result of the COPS program, State and local law enforcement agencies have received funds for more than 117,000 officers, 87,300 of whom are on the beat, fighting crime, and improving the quality of life in our neighborhoods and schools;

(8) the COPS program has assisted in advancing community policing nationwide;

(9) 86 percent of the Nation is served by a law enforcement agency that has full-time officers engaged in community policing activities;

(10) the continuation and full funding of the COPS program through fiscal year 2009 is supported by several major law enforcement organizations, including—

(A) the International Association of Chiefs of Police;

(B) the International Brotherhood of Police Officers;

(C) the Fraternal Order of Police;

(D) the National Sheriffs' Association;

(E) the National Troopers Coalition;

(F) the Federal Law Enforcement Officers Association;

(G) the National Association of Police Organizations;

(H) the National Organization of Black Law Enforcement Executives;

(I) the Police Executive Research Forum; and

(J) the Major Cities Chiefs;

(11) several studies have concluded that the implementation of community policing as a law enforcement strategy is an important factor in the reduction of crime in our communities;

(12) Congress appropriated $1,050,000,000 for the COPS program for fiscal year 2002 and $928,900,000 for fiscal 2003; and

(13) the President requested $164,000,000 for the COPS program for fiscal year 2004, $886,000,000 less than the amount appropriated for fiscal year 2002.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that an increase of $1,000,000,000 for fiscal year 2004 for the Department of Justice's community oriented policing program will be provided without reduction and consistent with previous appropriated and authorized levels.

The PRESIDING OFFICER. There will be 2 minutes equally divided on each side. The Senator from Delaware.

Mr. BIDEN. Mr. President, the COPS Program: $163 million. This amendment will take it up to what it has historically been for the last 8 or 9 years, about $1.16 billion. At the time we are cutting back FBI agents, we have cut the violent crime task forces, FBI agents no longer do interstate bank robbery, car thefts, et cetera. All local municipalities are in a hole. Everyone is in trouble. Deficits are high. We are worried about terrorism. The first guy who is going to run across a Bin Laden-type figure is not one wearing night vision goggles with the Special Forces. It could be a cop.

We are cutting back on homeland defense, local law enforcement. There has been an 83-percent cut from the COPS level we just approved in the omnibus bill just weeks ago. This will provide for 4,400 more cops at the very time—think about this—the entire FBI is 11,000 FBI agents. We are talking about adding 4,400 cops.

The COPS Program has worked. No one has a cogent argument as to why it has not worked. I urge adoption of the amendment.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time in opposition? The Senator from Oklahoma.

Mr. NICKLES. Mr. President, in function 750, which includes a lot of programs for local law enforcement, we have a 29-percent increase. The Senator's amendment would add an additional $1 billion on top of that.

I urge my colleagues to vote no. I yield to the Senator from New Hampshire the remainder of our time.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, the COPS Program was designed to put 100,000 new police officers on the street. We have, in fact, put 110,000 new police officers on the street.

In addition, the program has been replaced in large part by the huge amount of increases that are going into the First Responder Program, into the Byrne grant, into the LEA grant, and into the local law enforcement effort overall. We are dramatically increasing money in these accounts.

To continue a program that was supposed to fade out is totally inappropriate when we are already expanding the spending in these accounts by significant amounts.

Mr. DOMENICI. Does the Senator have time to answer a question?

Mr. GREGG. I have no idea.

The PRESIDING OFFICER. Time has expired.

Mr. DOMENICI. I ask unanimous consent that the Senator from New Hampshire be permitted to answer one question.

The PRESIDING OFFICER. Is there objection?

Mr. BIDEN. Reserving the right to object, if I can have equal time.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from New Hampshire.

Mr. DOMENICI. Have the budget rules changed? Is there some way that the Senator from New Hampshire can offer an amendment that will, in fact, increase the budget so the COPS Program will be paid for?

Mr. GREGG. The Senator knows the budget rules much better than I do. I think his answer is rhetorical, and the answer is no.

Mr. DOMENICI. That is correct. This amendment would not add to COPS. It will add to the budget.

Mr. GREGG. That is correct.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 20 seconds.

Mr. BIDEN. Mr. President, this takes $2 billion out of the tax cut. It provides $1 billion for COPS, and $1 billion for reduction of the deficit.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 278, as modified.

Mr. CONRAD. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 48, nays 52, as follows:

[Rollcall Vote No. 78 Leg.]

YEAS—48

Akaka	Dorgan	Leahy
Baucus	Durbin	Levin
Bayh	Edwards	Lieberman
Biden	Feingold	Lincoln
Bingaman	Feinstein	Mikulski
Boxer	Graham (FL)	Murray
Breaux	Harkin	Nelson (FL)
Byrd	Hollings	Nelson (NE)
Cantwell	Inouye	Pryor
Carper	Jeffords	Reed
Clinton	Johnson	Reid
Conrad	Kennedy	Rockefeller
Corzine	Kerry	Sarbanes
Daschle	Kohl	Schumer
Dayton	Landrieu	Stabenow
Dodd	Lautenberg	Wyden

NAYS—52

Alexander	Dole	Miller
Allard	Domenici	Murkowski
Allen	Ensign	Nickles
Bennett	Enzi	Roberts
Bond	Fitzgerald	Santorum
Brownback	Frist	Sessions
Bunning	Graham (SC)	Shelby
Burns	Grassley	Smith
Campbell	Gregg	Snowe
Chafee	Hagel	Specter
Chambliss	Hatch	Stevens
Cochran	Hutchison	Sununu
Coleman	Inhofe	Talent
Collins	Kyl	Thomas
Cornyn	Lott	Voinovich
Craig	Lugar	Warner
Crapo	McCain	
DeWine	McConnell	

The amendment (No. 278), as modified, was rejected.

Mr. NICKLES. Mr. President, we are making progress. I inform our colleagues, Senator CONRAD and I have had members inquiring how much longer are we going to stay. We are staying until we complete the bill. I urge Members not to generate amendments. We are trying to deal with them and we are trying to accommodate Members as much as we can. Sometimes we have had three or four amendments on one subject matter. I hope that does not continue.

The next amendment to be considered is the amendment from the Senator from South Carolina, the Hollings amendment.

The PRESIDING OFFICER. The Senator from South Carolina.

AMENDMENT NO. 343, AS MODIFIED

Mr. HOLLINGS. Mr. President, the amendment is at the desk as modified.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. HOLLINGS], for himself, and Mrs. BOXER, Mr. SARBANES, Mrs. FEINSTEIN, Mr. GRAHAM of Florida, Mr. BYRD, Mr. LIEBERMAN, and Mr. CORZINE, proposes an amendment numbered 343, as modified.

Mr. HOLLINGS. I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 343), as modified, as is follows:

On page 4, line 15, increase the amount by $1,000,000,000.

On page 4, line 16, increase the amount by $1,000,000,000.

On page 5, line 5, increase the amount by $314,000,000.

On page 5, line 6, increase the amount by $634,000,000.

On page 5, line 7, increase the amount by $535,000,000.

On page 5, line 8, increase the amount by $336,000,000.

On page 5, line 9, increase the amount by $153,000,000.

On page 5, line 10, increase the amount by $31,000,000.

On page 21, line 23, increase the amount by $850,000,000.

On page 21, line 24, increase the amount by $201,000,000.

On page 22, line 2, increase the amount by $850,000,000.

On page 22, line 3, increase the amount by $484,000,000.

On page 22, line 7, increase the amount by $497,000,000.

On page 22, line 11, increase the amount by $336,000,000.

On page 22, line 15, increase the amount by $153,000,000.

On page 22, line 19, increase the amount by $31,000,000.

On page 36, line 15, increase the amount by $150,000,000.

On page 36, line 16, increase the amount by $113,000,000.

On page 36, line 19, increase the amount by $150,000,000.

On page 36, line 20, increase the amount by $150,000,000.

On page 36, line 24, increase the amount by $30,000,000.

On page 42, line 2, decrease the amount by $1,000,000,000.

On page 42, line 3, decrease the amount by $.314,000,000

On page 42, line 6, decrease the amount by $1,000,000,000.

On page 42, line 7, decrease the amount by $684,000,000.

On page 42, line 11, decrease the amount by $535,000,000.

On page 42, line 15, decrease the amount by $336,000,000.

On page 42, line 19, decrease the amount by $133,000,000.

On page 42, line 23, decrease the amount by $31,000,000.

Mr. HOLLINGS. On behalf of Senators GRAHAM of Florida and South Carolina, Senators BYRD, LIEBERMAN, CORZINE, SCHUMER, MURRAY, BIDEN, and others, this amendment is to fund the port security provisions that we passed unanimously through the Senate. We had funding at that time. The House would not agree and the law is there. The responsibility and the unfunded mandate is there upon the States. Now they have no emergency dollars and it is an emergency situation.

We have to have $1 billion this year and $1 billion next year. I wanted to first take the money from the tax cuts. That was not going to work, and then I was going to remove the caps and I retreated to the 920 offset. We are in a desperate situation. We have to have the money.

Last Congress, we passed the Maritime Transportation Security Act of 2002. This landmark bill reflects the first time that the federal government has imposed security requirements on U.S. ports since World War II.

People do not ordinarily think about what happens at our ports. They take for granted that goods from all over the world are transported through our ports at minimal cost. However, this system is in jeopardy because security has never been part of the equation, and for the first time, we are requiring shipments to not only be efficient, but efficient and secure. The current situation leaves us in jeopardy, because Al Qaeda could use one of the millions of marine containers that are shipped into the U.S. to carry a dirty bomb, they could also take over an oil tanker and use it as a weapon to attack our coastal cities.

The bill we passed last year, the Maritime Transportation Security Act, sets the stage for protecting our nation, and for protecting our homeland. Last year, when we were considering this measure, Senate conferees insisted that we needed a commitment to fund the important requirements and mandates of this act. But until now we have not agreed on how to fund this measure. We implored the administration to come up with their own plan to help us address the vital need to secure our ports and points inland from maritime attack, but they sat on the sidelines.

Faced with that inaction, we pushed our colleagues in the House to require user fees on cargo shippers, and on ships, in order to provide funds for security equipment and programs, and to help our first responders plan how they might counteract any attacks. But our friends in the House, primarily those at the Ways and Means Committee, said that it was not a user fee. When we convinced them that it was, they then said that revenues had to originate in the House. After that we said okay, you pass the bill on the House side, and then we will pass your bill in the Senate. Yet the goal post moved further away once again, when the house said that they couldn't agree on any user

fee at all, and that the federal government should pay for port security in the budget. In the end, it was more important to pass the maritime security bill, and to impose the security mandates, so we required the Administration to submit their plans for funding port security to Congress within 6 months. Well, this years' budget proposes not one penny for port security!

As required by the MTSA, the Coast Guard has begun to survey security at U.S. ports, and preliminary estimates are that we will need 4.8 billion dollars to comply with the mandates. According to a ''Maritime Security Notice'' in the Federal Register of December 30, 2002, the total costs of implementing security in our seaports will reach $6 billion over the next ten years. The first year cost will be $1.4 billion. The costs are broken down by USCG as follows:

Vessel security: $1.1 billion over ten years,

Facility security: $4.4 billion over ten years,

Port Security Plans and Committees: $477 million over ten years.

This funding is crucial to the security of our homeland. A recent port security terrorism simulation was conducted by federal, state, and private sector experts to examine the consequences of a seaport attack. Their conclusions were stunning. The simulation indicated that within twenty days of an attack through U.S. seaports, the New York Stock Exchange would halt trading on the Exchange because of restated earnings estimates and shareholder panic. Retailers and manufacturers would be crippled by our inability to reopen U.S. ports so that their inventories could be replenished.

Last year, U.S. ports on the west coast were temporarily closed because of labor strikes, economists estimate that this closure cost our economy over two billion dollars a day. And, while we are spending billions of dollars each year to figure out how to shoot missiles out of the sky, we are spending practically nothing to protect against a weapon simply being put into a marine container, and shipped to the United States at a cost of less than three thousand dollars.

The economic impact of the closure of just the west coast ports pales in comparison to the economic devastation that would be the reaction to a dirty bomb imported in a container through the Port of Charleston or Philadelphia, or an intentional ship collision with an oil facility along the Houston ship channel, or the scuttling of a vessel blocking the Mississippi River maritime highway. Many Members are from States that would be directly impacted by a maritime terrorist event, and all will be effected by the economic fallout. As demonstrated by the port security simulation, a terrorist event will force the closure of every port in the country, potentially causing the destruction of our economic system before the ports could be cleared and reopened. Currently, we are only inspecting two percent of containers entering the U.S. We need to do better. The consequences are just to great to not provide the badly needed funds to upgrade port security.

For example, Tuesday, with the existing military situation and homeland security threat level at ''high,'' the State of South Carolina has been forced to supplement the existing security at the Port of Charleston, and at nuclear power plants, by deputizing and reassigning 400 probation and parole officers. This extra security should be available from security professionals trained in transportation security, but these professionals are not available because we are not doing what is needed to secure our ports.

A failure in securing our ports from attack, will result in a catastrophic attack on our economy, and ultimately on the strength of our nation. We currently do not have an adequate security system at our ports, and there has not been any sign from the Administration that they will secure our seaports in the future. The Coast Guard, Customs and Transportation Security Administration are doing their best, but unless they are given the tools and the funding to help our ports and cities employ the security that we need, we will be defenseless from a catastrophic attack. In order to provide this critical funding I am proposing an amendment to the Senate budget resolution.

The amendment would add $1 billion annually, for seaport security needs, over the next two years. In order to pay for the amendment, the tax cut would be reduced by $2 billion. The one billion, per year, could be spent consistent with the Maritime Transportation Security Act of 2002, as follows: Maritime Administration, $610 million; $450 million, for grants to ports and waterfront facilities to help ensure compliance with federally approved security plans; $150 million; for grants to states, local municipalities and other entities to help comply with federal area security plans and to provide grants to responders for port security contingency response; $10 million, to be used in conjunction with the Federal Law Enforcement Training Center to help develop a seaport security training curriculum to provide training to federal and state law enforcement personnel, and to certify private security personnel working at seaports.

Coast Guard, $160 million; $50 million, for port security assessments; $50 million, for the establishment and operation of multi-agency task force to coordinate and evaluate maritime information in order to identify and respond to security threats; $40 million, to help implement the Automated Identification System, AIS, and other tracking systems designed to actively track and monitor vessels operating in U.S. waters; $20 million, for additional Coast Guard port security vessels.

The Border and Transportation Security Directorate, $230 million, $100 million, to Customs for the installation of screening equipment, and to be used to help develop new technologies to help develop and prototype screening and detection equipment at U.S. ports; $100 million, to TSA and Customs; $50 million each, to evaluate and implement cargo security programs; $30 million, for the Transportation Security Administration, TSA, to develop and implement the Transportation Worker ID Card, and to conduct criminal background checks of transportation workers who work in secure areas or who work with sensitive cargo or information.

I thank the distinguished chairman for his agreement. We could voice-vote to save time.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. I thank my friends and colleagues, Senator HOLLINGS and Senator GRAHAM of South Carolina, for their willingness to work with us to modify the amendment. We are happy to accept the amendment. That will eliminate two rollcall votes.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 343, as modified.

The amendment (No. 343), as modified, was agreed to.

Mr. HOLLINGS. I move to reconsider the vote.

Mr. NICKLES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 358

Mr. NICKLES. I believe the next amendment will be offered by the Senator from Missouri, Senator BOND.

Mr. BOND. Mr. President, I call up amendment numbered 358.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Missouri [Mr. BOND], for himself, and Mr. REID, Mr. INHOFE, Mr. JEFFORDS, Mr. SHELBY, Mr. SARBANES, Mr. BYRD, Mrs. MURRAY, Mr. CHAFEE, Mr. WARNER, Mr. SPECTER, Ms. MURKOWSKI, Mr. LOTT, Ms. COLLINS, Mr. REED, Mrs. FEINSTEIN, Mr. LEVIN, and Mr. BROWNBACK, proposed an amendment numbered 358.

Mr. BOND. I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. BOND. Mr. President, there are stark needs for highways and transportation systems. The red column the President recommended, the green column across the chart shows what this budget proposes, and the budget before us proposes essentially flat funding for the next 6 years. The administration itself said the needs just to maintain highways are at this yellow line, which is way above.

Our amendment simply raises spending for highways over the 6 years to $255 billion and mass transit to $56.5,

using dollars previously paid into the highway trust fund by highway users, and other items that have been identified by the President and the Budget Committee, such as transferring 2.5 cents for ethanol into the highway user funds.

Investing in highways and transportation is the best immediate stimulus we can have to the economy, creating jobs, and lowering highway deaths. I urge the support of my colleagues.

Mr. KENNEDY. Mr. President, I commend my colleagues for their leadership on this bipartisan amendment to increase the level of Federal investment in transportation by over 40 percent in the next 6 years.

This amendment will enable the Environment and Public Works Committee and the Banking Committee to write their Transportation Equity Act for the 21st century, TEA–21, reauthorization proposals with adequate funding, and I urge my colleagues to support it.

Maintaining an integrated, efficient, and safe transportation system is one of the most important things we can do to get this faltering economy moving again. It is essential for maintaining the strength of our cities, and for promoting the growth of commerce and trade.

Of all the economic growth proposals that we will consider this year, few will produce a greater bang for the buck than increased Federal investment in the Nation's transit and highway system. According to the Department of Transportation, every $1 billion in surface transportation investment creates 47,500 jobs. With an economy losing 300,000 jobs each month, we cannot afford to ignore the job-creating power of transportation investments and the other benefits that they bring.

According to a report by the American Public Transportation Association, Americans took 9.5 billion trips on mass transit in 2001—the highest number in over 40 years, and a figure 22 percent increase since 1996. Of those trips, 54 percent were work related. I cannot imagine what would happen in cities like Washington, Chicago, New York, and Boston if these commuters rushing to and from their jobs were to lose public transportation as a viable option.

Perhaps such a scenario is too grim to consider, but we do have some idea just what those commuters would confront if they got off the trains and buses and back into their cars. In 2000, the average highway traveler spent 62 hours mired in rush hour traffic—a 38-percent increase over 1994. In fact, it is estimated that traffic congestion now costs Americans $67 billion each year—the cost of 3.67 billion hours in lost productivity and 5.7 billion gallons of wasted gasoline—wasted gasoline.

Unless we continue to build on the impressive investments made under ISTEA and TEA–21, I expect those congestion costs will rapidly multiply. How much they will increase is not known, but the Federal Transit Administration estimates that public transportation now saves the Nation $19.4 billion in congestion costs each year.

Unfortunately, this budget resolution does not provide room for building upon those two landmark transportation bills, and assumes a relatively flat level of funding for the next several years. These figures fall far short of what is needed simply to keep pace with the demands or exerted on our National Transportation System.

According to the American Association of State Highway and Transportation Officials, just to maintain the current conditions of our roads and bridges the Nation will need to invest approximately $92 billion each year for the next 6 years, and $19 billion for our transit systems. To actually improve these systems, the requirements are $125 billion for highways and $44 billion for transit respectively. Yet this budget provides only $32 billion for highways and $7.2 billion for transit this year.

By the end of the next 6-year reauthorization cycle, over 65 percent of the Nation's public transportation bus fleet and 54 percent of the country's subway cars, commuter rail cars, and light rail cars will be passed their useful lives, according to FTA.

If we don't replace the oldest vehicles in the fleet now, and repair those that can remain in revenue service for the foreseeable future, we will only be kicking our problems down the road. Ignoring these needs will only increase their expense, add additional financial burdens to State and local governments, and undermine the safety, security, and efficiency of our current transportation system.

It is also imperative that we boost funding for transportation investment now because of the new, post-September 11 security costs that States are facing to protect their bridges, tunnels, and subway stations.

A report by the Transportation Research Board, suggests that of the Nation's 600,000 bridges and tunnels, over 500 have been identified as critical links based on their size, traffic capacity, and strategic importance. If ever one of these bridges or tunnels should be compromised, the effect on commerce and trade in whole States and regions would be profound.

That same study, which was conducted with the input of the FTA and Federal Highway Administration, suggests that the cost of protecting these highway structures is approximately $6.8 billion over the next 6 years, with an additional $578 million required for ongoing security operations.

On the transit side, the security upgrades are expected to cost about $6.2 billion over 6 years, with an additional $500 million required for operating expenses.

Who is going to pay for these security requirements? The existing budget, which calls for essentially flat funding, does not anticipate a strong Federal role. At the same time, the States are in the midst of the worst fiscal crisis in nearly 50 years, and cannot afford these additional responsibilities.

Ultimately, the States will not be able to avoid this burden for the simple reason that they must protect their citizens. But with no additional revenues to pay for these costs, they will be forced to raid their long-term transportation budgets to pay for these new security responsibilities.

They are the ones who will have to finance additional State police details, construct physical barriers around the bases of bridges, install ventilation systems in tunnels, and create coordinated traffic monitoring and management computer systems. They will have no choice but to rob fund their immediate security needs at the expense of their long-term transportation improvement needs. And the cost of this may well be the long-term deterioration of their roads, bridges, tunnels, and public transportation services.

One final point I would like to make is that the terrorists of 9/11 closed our airports, and very nearly crippled the aviation industry permanently. However, because we had made critical investments in all modes of transportation during the past decade, intercity trains, the interstate system, and public transportation were able to fill the gap during those initial days following the tragedy. America did not stop moving.

We hope and pray that there will never be another major terrorist attack on our country, but cannot pretend that our bridges, tunnels, and train stations are not inviting targets.

Its essential, therefore, to provide the resources in this budget resolution to maintain a strong multimodal National Transportation System. With this amendment, which provides $255 billion for highways and $56.5 for transit over 6 years, we are taking a large step in the right direction.

I look forward to working with my colleagues to get a substantial reauthorization bill passed this year, as well as fully funding Amtrak and providing for increased aviation funding. We must meet all of these challenges, and meet them now.

Today's bipartisan highways and transit funding amendment is a critical step in that process. I urge all my colleagues to support it.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I have great respect for my colleagues from Missouri and Oklahoma and others who sponsor this amendment, but it is irresponsible to basically say 30 percent of highway funds will be funded out of general revenues. Highways have been built and paid for by and large by user fees, primarily gasoline taxes. This amendment says we have an increase in the deficit of about $63 billion over the next 6 years, meaning funded by general revenue financing. That is a mistake.

The Federal Government pays 80 percent of the cost of these highways. If you have general fund financing of them, there is no limit on the demands where people are saying we want you to pay for our roads.

This is over a 30 percent increase in the highway program, and basically it is unfunded. I urge my colleagues to vote no.

Mr. BOND. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment No. 358.

The clerk will call the roll.

The assistant bill clerk called the roll.

The result was announced—yeas 79, nays 21, as follows:

[Rollcall Vote No. 79 Leg.]

YEAS—79

Akaka	Daschle	Levin
Alexander	Dayton	Lieberman
Allen	DeWine	Lincoln
Baucus	Dodd	Lott
Bayh	Dole	Mikulski
Bennett	Domenici	Murkowski
Biden	Dorgan	Murray
Bingaman	Durbin	Nelson (FL)
Bond	Edwards	Nelson (NE)
Boxer	Feinstein	Pryor
Breaux	Fitzgerald	Reed
Brownback	Graham (FL)	Reid
Bunning	Graham (SC)	Roberts
Burns	Hagel	Rockefeller
Byrd	Harkin	Sarbanes
Campbell	Hatch	Schumer
Cantwell	Hollings	Shelby
Carper	Inhofe	Smith
Chafee	Inouye	Snowe
Clinton	Jeffords	Specter
Cochran	Johnson	Stabenow
Coleman	Kennedy	Stevens
Collins	Kerry	Talent
Conrad	Kohl	Warner
Corzine	Landrieu	Wyden
Craig	Lautenberg	
Crapo	Leahy	

NAYS—21

Allard	Grassley	Miller
Chambliss	Gregg	Nickles
Cornyn	Hutchison	Santorum
Ensign	Kyl	Sessions
Enzi	Lugar	Sununu
Feingold	McCain	Thomas
Frist	McConnell	Voinovich

The amendment (No. 358) was agreed to.

Mr. BOND. I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, for the information of all of our colleagues, we will now vote on the sense of the Senate offered by Senator STEVENS and myself, and then Senator CONRAD and I will work on an additional list of amendments. It is very much our intention to finish this bill tonight.

I urge our colleagues to be a little more disciplined as far as sending amendments to Senator CONRAD. I appreciate the cooperation of our colleagues.

AMENDMENT NO. 391

Mr. President, on behalf of Senator STEVENS and myself, I send—is the amendment at the desk?

The PRESIDING OFFICER. The clerk will report the amendment.

Mr. STEVENS. Mr. President, I ask that the sense-of-the-Senate amendment be read.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS], for himself and Mr. NICKLES, proposes an amendment numbered 391:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE REGARDING HIGHWAY SPENDING.

(a) FINDINGS.—The Senate makes the following findings:

(1) Highway construction funding should increase over current levels.

(2) The Senate Budget Committee-passed Resolution increases Highway funding above the President's request.

(3) All vehicles, whether they are operated by gasoline, gasohol, or electricity, do damage to our highways.

(4) As set out in TEA–21, the direct relationship between excise taxes and highway spending makes sense and should be maintained.

(5) Highways should be funded through user fees such as excise taxes and not through the General Fund of the Treasury.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Senate should only consider legislation that increases highway spending if such legislation changes highway user fees to pay for such increased spending.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, embedded in this amendment is a provision that really intends to lift the cap so that the outlays under this concept of increased highway spending will not be charged back against the discretionary spending.

It is the intent of this sense-of-the-Senate to state that it is the Senate's position, that we support this increase only on the basis that it will not be charged against outlays to the discretionary spending and therefore reduce the amount of money available to the Appropriations Committee under this resolution.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I am assured by the staff, who are experts in this area, that will not reduce the money available for appropriations. I agree with most of the whereases in this amendment because it says that highways should be paid for by highway users. And, frankly, this returns to the highway trust fund almost $50 billion that has been paid in by highway users over the last decade. It also lays out other areas where there should be additional funds that the Finance Committee has already agreed we should pay.

The PRESIDING OFFICER. All debate time has expired.

The question is on agreeing to the amendment.

The Senator from Nevada.

Mr. REID. Mr. President, as a cosponsor of the Bond amendment, I recommend that we accept it.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 391) was agreed to.

Mr. NICKLES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Nevada.

Mr. REID. Mr. President, the two managers are going to work to come up with another list of amendments that we will work on. The chairman and ranking member said it will take about another 15 minutes for them to come up with another list. During the time they are gone, if somebody has some issue they want to talk about, Senator NICKLES and Senator CONRAD said they would have no objection to that—they can talk about anything they want.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, let me say to Members on our side who have amendments pending, we had over 105 amendments noticed. Not all of those have been filed at the desk. We are asking Senators, if you have provided notice of an amendment but it could be put off to another day, please come to us now and advise us of that. We need to reduce the number of amendments.

We know that typically amendments Members have indicated an interest in sometimes fall away. Many times many of the amendments fall away. That would be helpful. With that said, I also want to advise Members, I do not see any way that this bill gets completed tonight. There are simply too many amendments Members have indicated they are serious about taking to a vote.

That does not mean we should not bend every effort to reduce the number of amendments outstanding so we could complete this as nearly as possible today, and finish up at a reasonable time tomorrow.

So this is going to be a challenge to all of us. If we do not do this, let me just say, there are still 85 amendments pending here. We have been doing about three an hour. If we continue on this pace, we are going to be here for another several days.

So I implore my colleagues, if you have given notice of an amendment, but you really do not need a vote on it, please advise the staff of that so we can whittle down this list.

Mr. REID. Will the Senator yield?

Mr. CONRAD. I am happy to yield.

Mr. REID. Mr. President, the two managers of this bill have worked very hard. Recognizing how hard they have

worked, the staff has worked even harder. I have relayed to the majority leader that in addition to the fact that it is Friday, and we have all had a hard week, we have to keep in proper perspective, whether people want to acknowledge it or not, that we have had a number of Senators who have recently had surgery and have been ill. Not a single one of those Senators has come to me asking that we cut them some slack. But we know that we should do that. Some of them came back to work earlier than they should have. They have violated doctors' instructions to be here.

Senator BYRD has talked to us. We recognize that his wife is very ill. Senator BYRD is doing everything he can to keep a watchful eye on his wife.

I hope we have proven during this week—we, the minority—that we are not trying to do anything to slow up this important piece of legislation. I have trouble understanding what is the magic of finishing this bill today. If there is magic there, it would take magic to complete it because we cannot complete the bill today. It would be my recommendation that we work for a reasonable time this evening. If the leader wants to come back tomorrow, come back sometime at a reasonable time tomorrow, do that. But I have to say we would be better served by completing our work early this evening and coming back next week and finishing this bill. It would give us all time to work to winnow down this list of amendments. I will bet if we had the weekend to do it, we could work it out so there would not be a lot of amendments. Our being pushed into saying you have to finish this bill today or tomorrow is not logical.

I know there is pressure from a lot of places to finish the bill, but it is not the Democrats preventing the legislation from passing. We are doing everything we can to cooperate. I know there are people here who have had far more experience than I. This, to me, would be logical and sensible.

Senator BYRD asked me today how long we are going. I would like him to express to the Senate how he feels about this.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, there may be men and women dying right now in the Arabian desert. Here we are talking about a budget resolution which is required by law to be passed by April 15. The administration has not added one penny in this budget for the war. They have not added anything in this budget for the war.

If we were debating a war budget today, it might be different. But we are not debating a war budget. There is no money in this budget by the administration for the war. Yet we are fighting a war. Why the hurry, when the deadline is April 15? Why the hurry?

We have asked the administration, I have asked the administration and representatives of the administration what is the cost of the war. How much is it going to cost. What is the cost of this war. The Secretary of Defense has answered it is not knowable. Here we are, the elected representatives of the people who want to know something about the cost of the war. The administration has said: It is not knowable. The administration has said, in essence, wait until you see the supplemental. We will send you the supplemental.

The answer to our questions have been rather contemptuous, in saying: Well, we don't know the cost. We will let you know when we send up the bill.

Why don't we wait and see what the supplemental is going to ask for? Why don't we wait and see what the administration asks for in the supplemental before we proceed with the budget? I cannot understand the hurry. We have at least two Members who have had serious operations. I don't mind staying a little while longer, but I have a responsibility also at home. If it were absolutely necessary that we complete this budget tonight, I would stay as long as I could, and if I had to go home, I would go home and let the Senate finish it. But this resolution doesn't have to be done tonight. This is not a war budget. The administration has nothing in this budget for the war. The administration has stiff-armed, as far as I am concerned, the Congress, those of us who have wanted to know something about what are the costs of this war. The administration has given us the back of their hand.

Here we are; we are being asked to rush through a budget that is not a war budget, no money in this budget for the war, and yet there is a war going on right now. Go look at your television sets and see the destruction that is being rained upon a capital city of a state that has not attacked the United States. Why can't we wait until we find out what the administration is going to request in a supplemental and then deal with the budget?

There is absolutely no necessity for dealing with this budget tonight. Suppose you lose a man here in the Senate because we continue to press for action on this budget tonight? You could lose a man. You could lose two. We have had plenty of time. We have had plenty of time. The administration should have told us how much they need in the supplemental. I have a feeling we are going to be asked for $65 to $80 billion, maybe $100 billion for the war in that supplemental. Why not wait and see what the administration is asking for in the supplemental before we proceed with this budget?

We have a huge tax cut in this budget, $1.3 trillion in tax cuts. So we want to pass the tax cuts before we find out how much the administration is going to request in a supplemental for fighting the war.

Men and women are dying. We ought not be on this budget today. We ought to at least show some respect for our own men and women. We are sending our own men and women across the sea to a foreign land where they may die and their families here today are worrying and crying and praying about their loved ones. That is saying nothing about the Iraqi men and women, old women, young women, old men, young men, sick people, children, babies.

Mr. SANTORUM. Mr. President, what is the regular order?

The PRESIDING OFFICER. There is no debate in order at this time.

The Senator from West Virginia.

Mr. BYRD. Mr. President, I have been around here long enough to know what the regular order is. I also have been around here long enough to know that we are being asked to stay here and spend the rest of the evening. We may send some old men to their deaths by doing this. I have a sick wife. Sixty-nine days from now, if the Lord lets both of us live, we will celebrate our 66th wedding anniversary. My first duty is to her. There will be enough Senators left here to pass this bill if we want to stay that long. But I think it is unreasonable.

If there were a reason to stay here, I would say, let's stay here and do our duty. But there is no reason for that, except to get this resolution passed before we know what the administration is going to request in a supplemental to fight this war.

Now, call for the regular order if you want to. Mr. President, I say it is time that we agree on a few more amendments, act on a few more, and go over to next week. The administration, I understand, is going to fight me down at the White House to tell me about the supplemental next Tuesday as a ranking member of the Appropriations Committee. Let them tell us that first, and then let's complete action on this massive tax cut.

Mr. President, I hope reason will prevail today. There is time to pass this bill later. It doesn't have to be done today. Let's go home, at least out of respect for the men and the women who are being sent. They didn't ask to go to foreign lands, possibly to fight and die.

Mr. SANTORUM. Mr. President, I call for the regular order.

Mr. BYRD. Out of respect for those, Mr. President——

Mr. SANTORUM. I call for the regular order.

The PRESIDING OFFICER. Further debate would require unanimous consent.

Mr. BYRD. I ask unanimous consent to proceed for 1 more minute.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BYRD. Can we not at least respect the people who are being sent overseas to fight and die, possibly? Can't we, out of respect, at least shut down the Senate for today and go home? Why do we have to debate this while they are giving of their all? Remember, we are raining destruction

upon a city of a state that has not attacked this country. There are men and women, old people and young people, sick and dying people there. At least we should have enough respect to quit now. We have done a good day's work. We passed 15, 16, 17 amendments by rollcall votes. Why do we have to continue? We don't have to—not for the political reason of getting action completed on this resolution before we find out what the administration is going to ask for in the supplemental.

I hope Senators will insist on our going over to next week. Our staffs haven't had a chance to read the amendments. Senators don't know what is in these amendments. I don't.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BYRD. Let's take the weekend and have our clerks read them so they can better advise us next week. I ask Senators to think about that.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. NICKLES. Mr. President, I appreciate the concerns raised by my friend and colleague from West Virginia, who just doubled the subsidy for Amtrak over my opposition. The majority leader has asked me to finish this bill, and we are going to finish the bill. I regret it. I will tell you, I have been here 23 years. We usually spend 1 week on a budget. Undoubtedly, on that last day of the budget, we have a lot of votes. We didn't do a budget last year and we should have. Maybe I should have worked more with the chairman at that time to make that happen. The Congress didn't function because it didn't get the budget done. We are going to finish this budget this week—tonight or tomorrow.

I know there are a lot of amendments, but most of them are repetitive. We have dealt with almost every subject area in the budget. The budget is not an appropriations bill. The budget is not a tax bill. We have had people offer amendments as though this is going to micromanage section 750. We don't do that in the budget. We don't write tax bills in the budget. We have had umpteen amendments. Oh, this will finance this, or it will be that portion of a tax bill. That is not what a budget does. A budget says basically how much we are going to spend and how much we are going to take in.

We have a budget and we need to finish our work. I know it is unpleasant and painful, and I know people would rather be home with their families, but we have to finish. Two years ago, we had 34 votes—tons of votes. We eventually passed a budget. I congratulated Senator DOMENICI because it wasn't easy or pretty. That is the way we are right now.

I tell my colleague from North Dakota, we knew this was coming a couple of days ago. I know it will not be pleasant, and we are going to ask people, and some people have to catch planes, and that is unfortunate, but we are going to finish the budget.

All these amendments that are pending, for the most part, don't need to be offered. They can be offered if you want—we are going to set an amount for appropriations. Most of those amendments can be dealt with on an appropriations bill or on a tax bill. We are going to have both this year. So I urge my colleagues to show some restraint. I will work with my colleagues, and I think I have considered every amendment fairly. We have not postponed anybody's amendments. I think we have been as fair as possible to everybody. I might mention that 90 percent of the amendments offered on the other side—well, I will be happy to work with my colleagues, but I think it is important to finish our work, whether it is midnight tonight or tomorrow night. It is very much my intention to finish. I urge our colleagues to work together to complete our work.

Mr. BYRD. Will the Senator yield?

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, let me just say the chairman and I have worked together closely to try to move this agenda, to have amendments and do it in an efficient way. But I must say I don't see any earthly reason this bill has to be done today. The requirement is April 15. I think we are getting over the edge into unreasonableness. When one side gets unreasonable, that creates a reaction on the other side. I have tried to be reasonable, but I say to my colleagues, at some point it is going to be hard to feel that there is some rational reason for this press.

We can get this bill done, and get it done in a timely way, without going endlessly into the night. We went until midnight last night, the same the night before. I will tell you, I think we should press ahead, do additional amendments for a time, but I think we need to fold our tent and recognize that we need to come back tomorrow or Tuesday morning and finish.

I just ask my colleagues to think about that and, in the meantime, we can try to get an agreement on another traunche of amendments to work on.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. NICKLES. Mr. President, I tell my colleague from North Dakota that I will let him know of this request.

I ask unanimous consent that the only amendments that be allowed to be considered be those filed and presently at the desk.

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. NICKLES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

AUTHORIZATION OF USE OF FORCE

Mr. STEVENS. Mr. President, as President pro tempore, I ask unanimous consent to have printed in the permanent RECORD a letter I have received from the President consistent with its requirements under the authorization for use of military force against Iraq, Public Law 107–243.

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

Hon. TED STEVENS,
President pro tempore of the U.S. Senate, Washington, DC.

DEAR MR. PRESIDENT: On March 18, 2003, I made available to you, consistent with section 3(b) of the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243), my determination that further diplomatic and other peaceful means alone will neither adequately protect the national security of the United States against the continuing threat posed by Iraq, nor lead to enforcement of all relevant United Nations Security Council resolutions regarding Iraq.

I have reluctantly concluded, along with other coalition leaders, that only the use of armed force will accomplish these objectives and restore international peace and security in the area. I have also determined that the use of armed force against Iraq is consistent with the United States and other countries continuing to take the necessary actions against international terrorists and terrorist organizations, including those nations, organizations, or persons who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001. United States objectives also support a transition to democracy in Iraq, as contemplated by the Iraq Liberation Act of 1998 (Public Law 105–338).

Consistent with the War Powers Resolution (Public Law 93–148), I now inform you that pursuant to my authority as Commander in Chief and consistent with the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102–1) and the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243), I directed U.S. Armed Forces, operating with other coalition forces, to commence combat operations on March 19, 2003, against Iraq.

These military operations have been carefully planned to accomplish our goals with the minimum loss of life among coalition military forces and to innocent civilians. It is not possible to know at this time either the duration of active combat operations or the scope or duration of the deployment of U.S. Armed Forces necessary to accomplish our goals fully.

As we continue our united efforts to disarm Iraq in pursuit of peace, stability, and security both in the Gulf region and in the United States, I look forward to our continued consultation and cooperation.

Sincerely,

GEORGE W. BUSH

Mr. NICKLES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The bill clerk continued with the call of the roll.

Mr. NICKLES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CORNYN). Without objection, it is so ordered.

Mr. NICKLES. Mr. President, we are going to soon ask unanimous consent to clear seven amendments that Senator CONRAD and I have agreed upon. Prior to that, though, I might ask the minority leader if he has an announcement to try to rally his troops.

Mr. DASCHLE. Mr. President, we have been in discussions for the last hour or so. I am calling a caucus for 6:45 to discuss our current situation and a series of ideas that might allow us to bring this debate to closure.

I do not want to discuss it here and now, but I hope Senators will attend at 6:45 and we will have more information at that time.

Mr. NICKLES. If the minority leader will yield, I would very much appreciate it—I know you don't want to get into the details, but having final passage of the budget by 7 o'clock tonight would be very much appreciated by all Members of the Senate.

I appreciate the cooperation of the minority leader.

AMENDMENTS NOS. 353, 283, 390, 388, 389, 309, 296 AS MODIFIED, EN BLOC

Mr. NICKLES. Mr. President, I ask unanimous consent that seven amendments—No. 353, Senators SMITH and CLINTON's sense of the Senate dealing with health care coverage; No. 283, Senator FEINSTEIN and others' sense of the Senate dealing with criminal alien assistance; No. 390, NICKLES' technical correction, Social Security administrative expenses; No. 388, Senator VOINOVICH's sense of the Senate CBO report on liabilities and future costs; No. 389, Senator HUTCHISON's sense of the Senate dealing with the Corps of Engineers; No. 309, BINGAMAN language change to Medicaid Reserve; No. 296, Senator ROCKEFELLER's sense of the Senate first responders, with a modification that is presently at the desk—be considered en bloc, agreed to, and the motions to reconsider be laid on the table en bloc.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. Mr. President, I ask unanimous consent to be shown as a cosponsor of the Hutchison amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments were considered and agreed to en bloc, as follows:

AMENDMENT NO. 353

(Purpose: To express the sense of the Senate concerning the expansion of health care coverage)

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE CONCERNING AN EXPANSION IN HEALTH CARE COVERAGE.

(a) FINDINGS.—The Senate finds that—

(1) there were 74,700,000 Americans who were uninsured for all or part of the two-year period of 2001 and 2002;

(2) this large group of uninsured Americans constitutes almost one out of every three Americans under the age of 65;

(3) most of these uninsured individual were without health coverage for lengthy periods of time, with two-thirds of them uninsured for over six months;

(4) four out of five uninsured individuals are in working families;

(5) high health care costs, the large number of unemployed workers, and State cutbacks of public health programs occasioned by State fiscal crises are causing more and more individuals to become uninsured; and

(6) uninsured individuals are less likely to have a usual source of care outside of an emergency room, often go without screenings and preventive care, often delay or forgo needed medical care, are often subject to avoidable hospital days, and are sicker and die earlier than those individuals who have health insurance.

(b) SENSE OF SENATE.—It is the sense of the Senate that the functional totals in this resolution assume that—

(1) expanded access to health care coverage throughout the United States is a top priority for national policymaking; and

(2) to the extent that additional funds are made available, a significant portion of such funds should be dedicated to expanding access to health care coverage so that fewer individuals are uninsured and fewer individuals are likely to become uninsured.

AMENDMENT NO. 283

(Purpose: To express the sense of the Senate that the States and localities should be reimbursed through the State Criminal Alien Assistance Program for the fiscal burdens undocumented criminal aliens place on their criminal justice systems)

On page 79, after line 22, insert the following:

SEC. ___. SENSE OF THE SENATE ON THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM.

(a) FINDINGS.—The Senate finds the following:

(1) The control of illegal immigration is a Federal responsibility.

(2) In fiscal year 2002, however, State and local governments spent more than $13,000,000,000 in costs associated with the incarceration of undocumented criminal aliens.

(3) The Federal Government provided $565,000,000 in appropriated funding to the State Criminal Alien Assistance Program (SCAAP) to reimburse State and local governments for these costs.

(4) In fiscal year 2003, the fiscal burden of incarcerating undocumented criminal aliens is likely to grow, however, Congress provided only $250,000,000 to help cover these costs.

(5) The 56 percent cut in fiscal year 2003 funding for SCAAP will place an enormous burden on State and local law enforcement agencies during a time of heightened efforts to secure our homeland.

(6) The Administration did not include funding for SCAAP in its fiscal year 2004 budget.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the functional totals underlying this resolution on the budget assumes that the State Criminal Alien Assistance Program be funded at $585,000,000 to reimburse State and local law enforcement agencies for the burdens imposed in fiscal year 2003 by the incarceration of undocumented criminal aliens; and

(2) Congress enact a long-term reauthorization of the State Criminal Alien Assistance Program beginning with the authorization of $750,000,000 in fiscal year 2004 to reimburse State and county governments for the burdens undocumented criminal aliens have placed on the local criminal justice system.

AMENDMENT NO. 390

On page 8, between lines 13 and 14, insert the following:

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2003:
(A) New budget authority, $3,812,000,000.
(B) Outlays, $3,838,000,000.
Fiscal year 2004:
(A) New budget authority, $4,257,000,000.
(B) Outlays, $4,207,000,000.
Fiscal year 2005:
(A) New budget authority, $4,338,000,000.
(B) Outlays, $4,301,000,000.
Fiscal year 2006:
(A) New budget authority, $4,424,000,000.
(B) Outlays, $4,409,000,000.
Fiscal year 2007:
(A) New budget authority, $4,522,000,000.
(B) Outlays, $4,505,000,000.
Fiscal year 2008:
(A) New budget authority, $4,638,000,000.
(B) Outlays, $4,617,000,000.
Fiscal year 2009:
(A) New budget authority, $4,792,000,000.
(B) Outlays, $4,766,000,000.
Fiscal year 2010:
(A) New budget authority, $4,954,000,000.
(B) Outlays, $4,924,000,000.
Fiscal year 2011:
(A) New budget authority, $5,121,000,000.
(B) Outlays, $5,091,000,000.
Fiscal year 2012:
(A) New budget authority, $5,292,000,000.
(B) Outlays, $5,260,000,000.
Fiscal year 2013:
(A) New budget authority, $5,471,000,000.
(B) Outlays, $5,439,000,000.

AMENDMENT NO. 388

(Purpose: To require annual reports on the liabilities and future costs of the Federal Government and its programs)

At the end of subtitle A of title II, insert the following:

SEC. ___. SENSE OF THE SENATE ON REPORTS ON LIABILITIES AND FUTURE COSTS.

It is the sense of the Senate that The Congressional Budget Office shall consult with the Committee on the Budget of the Senate in order to prepare a report containing—

(1) an estimate of the unfunded liabilities of the Federal Government;

(2) an estimate of the contingent liabilities of Federal programs; and

(3) an accrual-based estimate of the current and future costs of Federal programs.

AMENDMENT NO. 389

(Purpose: To express the sense of the Senate regarding the urgent need for increased funding for the Corps of Engineers)

At the appropriate place, add the following:

SEC. ___. SENSE OF THE SENATE CONCERNING PROGRAMS OF THE CORPS OF ENGINEERS.

(a) FINDINGS.—The Senate finds that—

(1) the Corps of Engineers provides quality, responsive engineering services to the United State, including planning, designing, building, and operating invaluable water resources and civil works projects;

(2) the ports of the United States are a vital component of the economy of the United States, playing a critical role in international trade and commerce and in maintaining the energy supply of the United States;

(3) interruption of port operations would have a devastating effect on the United States;

(4) the navigation program of the Corps enables 2,400,000,000 tons of commerce to move on navigable waterways;

(5) the Department of Transportation estimates that those cargo movements have created jobs for 13,000,000 people;

(6) flood damage reduction structures provided and maintained by the Corps save taxpayers $21,000,000,000 in damages every year, in addition to numerous human lives;

(7) the Corps designs and manages the construction of military facilities for the Army and Air Force while providing support to the Department of Defense and other Federal agencies;

(8) the Civil Works program of the Corps adds significant value to the economy of the United States, including recreation and ecosystem restoration;

(9) through contracting methods, the civil works program employs thousands of private sector contract employees, as well as Federal employees, in all aspects of construction, science, engineering, architecture, management, planning, design, operations, and maintenance; and

(10) the Bureau of Labor Statistics indicates that $1,000,000,000 expended for the Civil Works program generates approximately 40,000 jobs in support of construction operation and maintenance activities in the United States.

(b) BUDGETARY ASSUMPTIONS.—It is the sense of the Senate that—

(1) to perform vital functions described in subsection (a), the Corps of Engineers requires additional funding; and

(2) the budgetary totals in this resolution assume that the level of funding provided for programs of the Corps described in subsection (a) will not be reduced below current baseline spending levels established for the programs.

AMENDMENT NO. 309

(Purpose: To provide the Committee on Finance of the Senate with additional options to reform and improve medicaid without the need to resort to block grant allotments with predetermined growth rates, which fail to adjust for economic recessions, demographic changes, or disasters)

On page 63, beginning on line 12, strike ''through'' and all that follows through ''rates'' on line 14.

AMENDMENT NO. 296, AS MODIFIED

(Purpose: To express the sense of the Senate that the Attorney General should conduct a study on the need and cost to establish radio interoperability between law enforcement agencies, fire departments, and emergency medical services, and that Congress should authorize and appropriate $20,000,000 for grants to local governments to assist fire departments and emergency medical services agencies to establish radio interoperability)

On page 79, after line 22, add the following:

SEC. 308. RADIO INTEROPERABILITY FOR FIRST RESPONDERS.

(a) STUDY.—It is the sense of the Senate that the Attorney General, in consultation with the Secretary of Homeland Security, should conduct a study of the need and cost to make the radio systems used by fire departments and emergency medical services agencies interoperable with those used by law enforcement to the extent that interoperability will not interfere with law enforcement operations.

(b) GRANT PROGRAM.—It is the sense of the Senate that Congress should authorize and appropriate $20,000,000 to establish a grant program through which the Attorney General would award grants to local governments to assist fire departments and emergency medical services agencies to establish radio interoperability.

AMENDMENT NO. 283

Mrs. FEINSTEIN. Mr. President, this non-binding sense of the Senate amendment expresses that the budget resolution before us should accommodate an appropriation of $750 million for the State Criminal Alien Assistance Program—SCAAP—for Fiscal Year 2004.

I am pleased that Senators KYL, BINGAMAN, MCCAIN, and SCHUMER have joined me in introducing this important measure.

The bipartisan amendment I offer today with my colleagues would also put the Senate on record as favoring a restoration of fiscal year 2003 funding for this important program, which does so much to help State and county governments deal with the growing costs of incarcerating undocumented criminal aliens.

Without adequate funding, this fiscal burden will continue to fall on many of our local law enforcement agencies—including sheriffs, police officers on the beat, anti-gang violence units, and district attorneys offices.

The SCAAP program is based on the principle that when the Federal Government falls short in its efforts to enforce the laws against immigration violations, it must bear the responsibility for the financial and human consequences of this failure.

Thus, the SCAAP program properly vests this burden with the Federal Government when undocumented aliens commit serious crimes within our communities.

It does so by providing Federal reimbursement funding to the States and county governments for the direct costs associated with incarcerating undocumented criminal aliens, who are convicted of felonies or multiple misdemeanors.

Increasingly, State and county governments from all across the country have made use of these funds over the years. In fact, in Fiscal Year 2002, the number of State and local governments seeking SCAAP funding jumped 25 percent from the previous fiscal year.

The combination of this increase, and the fact that all 50 States and the District of Columbia receive some funding from the program, suggests that no State is immune from the fiscal costs associated with crimes committed by illegal aliens.

Today most States are encountering their largest deficits in more than 60 years. Indeed, the fiscal consequences of illegal immigration have contributed to this challenge.

In Fiscal Year 2002, State and county governments incurred more than $13 billion in costs associated with incarcerating criminal illegal aliens. These costs are expected to grow over the next several years, given the new challenges of terrorism and our efforts to enhance security within our Nation's borders.

California's border counties are among the hardest hit in terms of dollars spent on incarceration, prosecution and court costs for those in the United States illegally. I am greatly concerned about the substantial burden these immigration-related costs impose on the criminal justice system on our local communities, especially given the limited tax base and fiscal resources State and local jurisdictions are working with today.

The SCAPP program is not in place to prevent crime, but to fulfill portion of the Federal Government's responsibility, so local governments can use their limited resources for their own responsibilities, such as funding jail enlargement or new homeland security ventures at the local level.

At a time when cash-strapped State and local governments are being asked to do even more to protect our homeland, we cannot afford to eliminate vital funding that already falls far short of what local governments spend to incarcerate undocumented criminal aliens. In previous years, Congress has appropriated between $500 million and $585 million for SCAAP to alleviate some of the fiscal burdens placed on the local criminal justice systems.

In Fiscal Year 2002, Congress appropriated $565 million for this important program. Unfortunately, the prolonged debate over Fiscal Year 2003 appropriations produced budgetary pressures that resulted in a 53-percent drop in SCAAP funding for FY 2003.

SCAAP payments have never matched the true costs to the States dealing with this problem, but they have nevertheless been critical additions to prison and jail budgets. They have also symbolized the Federal Governments obligation to pay for the results of its failed immigration strategies.

These are challenging times in our Nation's history. And, we want, to the best extent possible, our constituents to feel secure in their homes and in their communities.

At a time when the Nation is focused on enhancing security within our borders, our States, and our local communities, a vital program like SCAAP should not be vulnerable to being under-funded or eliminated altogether.

The control of illegal immigration is a Federal obligation and we owe it to our States and local communities to provide them with the crucial Federal assistance they need to continue doing their job.

Again, I wish to emphasize that while this amendment would put the Senate on record as supporting this initiative, the amendment is not binding and therefore, does not require any offsets.

Mr. NICKLES. Mr. President, I thank our colleagues for their cooperation and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DASCHLE. Mr. President, the caucus, for the information of our Democratic Senators, will be in the LBJ Room, our normal caucus room.

I have something else, though, that I want to share with my colleagues.

CONGRATULATING SENATOR PAUL SARBANES ON CASTING HIS 10,000TH VOTE

Mr. DASCHLE. Mr. President, at 3:45 this afternoon, our friend and colleague, PAUL SARBANES, joined what is truly one of the most exclusive clubs in the world. He cast his 10,000th vote as a United States Senator.

Of the 1,875 people ever to serve in the Senate, only 20 others have ever reached this remarkable milestone. Remarkably, eight of the 21 ''10,000 vote'' Senators are serving in this Senate.

In addition to Senator SARBANES, they include our friends JOE BIDEN, Senator BYRD, PETE DOMENICI, FRITZ HOLLINGS, DAN INOUYE, TED KENNEDY and TED STEVENS. I'm proud to note that, at least in this very distinguished caucus, Democrats still have a majority.

Reaching this historic milestone is just the latest remarkable accomplishment in what has been, by anyone's standards, a remarkable American success story. PAUL SARBANES is the proud son of Greek immigrants. His parents, Spyros and Matina Sarbanes, emigrated from the same town in Greece, but met in America. The Sarbanes family owned a restaurant in Salisbury, MD. They gave it a quintessentially American name: The Mayflower Restaurant. PAUL worked in the restaurant, and he and his family lived above it.

He graduated from a public high school and won a scholarship to Princeton University.

He was a Rhodes Scholar at Oxford University. After Oxford, he came home and, in 1960, earned a law degree from Harvard. From Harvard, PAUL SARBANES went to the White House, one of the ''best and brightest'' who answered President Kennedy's call to public service. He worked as Administrative Assistant to Water Heller, chairman of President Kennedy's Council of Economic Advisors.

He won his first elected office in 1966, to the Maryland House of Delegates, where he served for 4 years. In 1970, the people of Maryland elected him to the House of Representatives. In 1976, he won his first election to the United States Senate. In November 2000, he won his fifth election to the Senate, making him the longest-serving Senator in Maryland's history.

It's been said that there are two kinds of Senators: those who are here to make headlines and those who are here to make history. PAUL SARBANES is one of the history makers. He is one of the most modest men I know. He is also one of the most intelligent. He was a voice of reason on both the Whitewater and Iran-Contra committees. It was his leadership and his refusal to accept defeat—more than anything—that enabled us, in the last Congress, to pass the most far-reaching corporate accountability reforms since the Securities and Exchange Commission was created 70 years ago.

The Sarbanes-Oxley reforms will help prevent the kinds of corporate abuses that have so damaged our economy and shaken people's faith in the economic markets these last few years. They will protect people's investments, and their economic futures.

I learned a Greek word from PAUL SARBANES: ''idiotes.'' It is the Greek root for the English word ''idiot.'' But it has a different meaning in Greek. It means ''someone who takes no part in the affairs of his community.'' In the Sarbanes family, it was almost a curse.

PAUL SARBANES' parents taught him that serving one's nation is a noble calling. I know they would be proud of him. So are we. I congratulate my friend on casting his 10,000th vote in the Senate—and on his long and exemplary career. I look forward to seeing him cast a few thousand more votes.

Mr. President, I yield the floor and congratulate our colleague.

(Applause, Senators rising.)

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. Mr. President, I thank our distinguished leader for his very kind comments about the 10,000 votes I have cast in the Senate. I must say, if we keep doing these vote-a-ramas, everyone can aspire to reaching this goal in short order.

Our very able leader was very kind and generous in his remarks. I appreciate them very much.

I wish to register my deep appreciation to the people of my State who sent me to the Senate now for my fifth term and, therefore, made it possible for me to be here exercising my judgment on important issues that come before us. I certainly hope that people, looking back over that record, will think there was some quality in those votes as well as quantity.

I thank my colleagues for their constant support and the ability to interact with them as we deal with important matters of public policy. Even though we sometimes differ, we support one another in a very unique and, to some, not understandable way. I am in my 27th year in the Senate, and I am pleased to be in the company of those who our leader enumerated that have also passed the 10,000 mark. I particularly want to acknowledge my respect for Senator BYRD, who I think has cast more votes than anyone who has ever served in the Senate, and continues to be an example to us all.

I also would be remiss if I did not thank my family, my wife in particular, for their strong support over these many years now. And finally, I would like to thank the many staff members who have served me so well for these past 27 years.

Again, I thank all of those who have been so gracious to me in extending their best wishes and congratulations. And, in particular, I thank our leader, Senator DASCHLE.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, while Senator SARBANES is still here, I want to congratulate him.

Mr. SARBANES. I appreciate that.

Mr. DOMENICI. I am on that list. I just want to tell you, 10,000 is just the beginning.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I wish to join our colleagues in congratulating Senator SARBANES on the milestone, and his accomplishments in the Senate.

DEMOCRATIC CAUCUS

Mr. REID. Mr. President, I announce we now have a Democratic caucus in the LBJ Room. If all Democratic Senators can move over there, it would be greatly appreciated.

Mr. CHAMBLISS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, we are all following, on a moment-by-moment basis, the developments in Iraq and the sad reality that this war is upon us, but we also have the great feeling of support for our men and women in uniform.

I was notified today that one of the first casualties in the war was from my home State. His name is Ryan Beaupre from Saint Anne, IL, a 30-year-old Marine Corps captain who was a pilot on the helicopter that went down with eight British commandos and four marines, a wonderful young man by all reports from a good family who attended Bishop MacNamara High School in Kankakee and then Illinois Wesleyan and enlisted in the Marine Corps and served his country so well. I have called his family today. Of course, they are grief-stricken, as is everyone in the community.

A special tribute was given to him today at his old high school, and I am sure there will be many more. Our hearts go out to the Beaupre family and all of their friends at this great loss.

We are fortunate in this country to have young men and women like him, willing to volunteer and to risk their lives for their Nation. We should remember the cost of war and remember how much we owe those who will step forward to defend this Nation in time of need.

I hope, before this debate on the budget resolution is over, to ask my colleagues in the Senate to consider an amendment which I hope to offer. If someone asked you today how much

combat pay do we pay to the marines and sailors and soldiers and airmen for fighting the war in Iraq, most Americans would not know the answer. But combat pay for our soldiers and those who are risking their lives now in Iraq is $5 a day—$5 a day—$150 a month. That is combat pay for those who are in active military, as well as those who are activated.

Also, you might be interested in knowing how much we pay the families when we separate people and send them off to war. What kind of monthly supplement do we provide for the families who now have someone important in their lives gone for a period of time and have to struggle to try to keep things together when it comes to child care and added responsibility and added expenses? How much do we give to these military families? About $3.30 a day; $100 a month.

The amendment I am going to offer to the budget resolution will raise those two amounts, not to what they truly deserve but to show that we have not forgotten that they need more, to $500 a month for combat pay, and $500 a month to families who are separated because of this war.

It is a small token. It should be much more. But I hope my colleagues will seriously consider that amendment. As we all feel so good and so strong about the contribution of the men and women in uniform, let us not forget they deserve a helping hand and the combat pay differential as well as the assistance to their families.

I yield the floor.

Mr. LIEBERMAN. Mr. President, I wish to elaborate on Amendment No. 277, which would provide an additional $16 billion next year to fund our urgent homeland security needs. Because of the failure of the Schumer amendment—which would have provided a substantial but smaller increase in homeland security funding next year—it is clear that my amendment will not carry the Senate. Nevertheless, I would like to set forth the following statement on the reasons behind my amendment and the urgency of dramatically increasing our investment in homeland security.

America has the greatest military in the world—as we are witnessing in Iraq today—and we have it because we pay for it. For generation after generation, presidents, members of Congress, and the American people have come together across partisan divides and every other conceivable divide to invest what's necessary in our military, and in the men and women in uniform who make our military what it is.

If we want the best domestic defenses, we'll have to pay for them, too. But consider this comparison. Under the resolution before us, between this year's and next year's budgets, defense spending would be increased by some $19 billion. I support that increase. But over the same period, this resolution would invest only $300 million more in improving our homeland defenses.

Why? One reason and one reason only: the President's unaffordable, unfair, and unfocused tax cuts are leaving no room for necessary investments. They're crowding out every other priority. It's bad enough that they haven't done anything to create jobs, to grow the economy, to expand the middle class. On top of that, they have raided the national cupboard.

There's little money left for urgent needs—not for healthcare, not for education, not for Social Security or homeland security. Little money left for smart tax cuts that will spur real growth and innovation. Little money left to keep down the deficit at a time when we're looking at $2 trillion in additional debt.

I urge my colleagues to stop and think about this for a second. The President's budget would have us spend about $100 billion next year alone on brand new tax cuts for those who need them least. $100 billion of our national treasure on unfocused, unaffordable and unfair tax cuts when we are at war against terrorism here at home, forced to marshal our strength to defend against a ruthless and unpredictable new enemy. And that's to say nothing of the cost of the war to disarm Iraq, the peace that will follow, or every other critical need facing our country from healthcare to education to Social Security.

For this administration and those who support this resolution, all of those needs are down the list. Those needs can wait. Those needs can suffer. As long as someone preserves the precious new tax cuts—which will do little if anything to create new jobs—they're happy.

That's crazy. It's irresponsible. And it's downright unfair to those who are working day and night to protect us, and who desperately need new resources to do their job well.

My father ran his own small store and, like any decent businessman, he understood that making a good living and paying the bills started with sound and honest budget planning. If he needed to put a new lock on the door, he would set aside some money to do it.

Those who run our government now don't seem to get it. They underestimate or hide serious expenses. They squander money when business is bad. They overestimate revenue. And they seem to think that our security will magically fund itself, rather than setting aside money for it, as my Dad would have.

It's time for this administration and those who back this resolution to show some economic common sense. It's time for them to let go of their pet tax cuts and dedicate some resources to our critical common needs.

This amendment would do that. Rather than giving homeland security short shrift by settling for a paltry $300 million increase, it would start to put real dollars where the danger is. After extensive study and consultation with experts, I've determined it will take $16 billion to start truly raising our guard in the next fiscal year. That's what this amendment would provide.

How will we pay for it? It's an important question—and unlike this administration, we'll answer it. Because we understand, as the American people understand, that we can't have it all. Leadership is about making tough choices—about tradeoffs.

So we propose paying for this new investment in homeland security by redirecting $32 billion in new tax cuts proposed by the President. Half of that money will go toward deficit reduction—to start digging ourselves and our children out of the ditch of debt in which we now find ourselves. And half of it will pay for urgent homeland security improvements.

Aren't those two common goals, both of which will broadly benefit the American people, a far, far better use of our precious resources than brand new unfocused, unaffordable, and ineffective tax cuts to those who need them least? The answer is obvious to me. I hope it's clear to others in this chamber as well.

Let me now talk about some of the critical security needs that this $16 billion would help us meet.

Our commitment needs to start with first responders, who are our frontline troops in this homefront war. In communities across the country, our firefighters, police officers, and emergency medical technicians are struggling for the funds they need to meet the new threats we face. It's time for us to give them the support they need and their jobs demand.

This budget resolution would provide virtually no new funding for our first responders. Virtually no new funding—at this time of unprecedented need and danger. That's unacceptable. There is equipment to buy. There are professionals to hire. There are people to train. All of that—like it or not—takes money.

This amendment provides for $10 billion in FY 04—$6.5 billion above the President's request—to help first responders prepare for and combat terrorism, including attacks involving weapons of mass destruction. Additionally, the amendment provides for $1 billion in FY 04 for firefighter grants, money that would be available to hire additional firefighters. This is the first installment of the SAFER Act—of which I am an enthusiastic supporter—which would provide more than $7.5 billion over 7 years to help communities hire badly needed new firefighters. Unlike in the President's proposed budget, I believe that new funds should not come at the expense of existing programs for first responders like the COPS program, the Local Law Enforcement Grants, or the Byrne Grant program.

Within this overall commitment, $4 billion should be dedicated to helping first responders obtain interoperable equipment—a vital challenge that has been estimated to cost $18 billion overall.

Nor should we wait for the FY 04 appropriations cycle to help our first responders. The recently-approved FY 03 omnibus spending bill comes up far short for first responders. We will need to seize every opportunity to fix that, and I am cosponsoring amendments today to ensure that this happens. I will fight also for more money for first responders in the supplemental appropriations process.

Our second critical unmet priority is shoring up port security—which my amendment would accomplish by committing a $2 billion investment above the pending resolution.

About 7 million containers arrive at these ports each year, yet only a tiny fraction are searched. This poses a risk not only at the ports, but also inland—as many of those containers travel many miles to their final destination without being searched.

Yet the administration's budget proposal and this budget resolution mostly ignore the physical security of our ports. The Coast Guard has estimated that it will cost $4.4 billion to improve basic physical security at the nation's ports, starting with close to $1 billion the first year. In addition, the Maritime Security Act mandates certain security measures without providing a funding mechanism. In an effort to jumpstart these vital improvements, this amendment provides $1.2 billion in port security grants for fiscal year 2004.

Because the ports themselves are a potential target, we do not want to wait until dangerous containers arrive to investigate. Rather, we must ''push the borders back'' and identify and inspect as much high-risk cargo as possible before it enters our harbors. The Customs Service has made some valuable strides in this direction through the Container Security Initiative. This program stations Customs officers at overseas ports to allow for inspection of some containers before they begin their voyage to the U.S. Yet the Administration is not expanding this valuable program as forcefully as circumstances require. President Bush has requested $62 million for this program in fiscal year 2004, a request that is echoed in this budget resolution. My amendment would provide an additional $100 million to allow for aggressive and effective expansion of this program, and for related initiatives to inspect and track containers as close as possible to their point of origin.

Moving beyond physical security, my amendment would enable the Coast Guard to step up its supervision of the ports and adjacent maritime areas. I believe we must accelerate efforts to recapitalize the Coast Guard fleet—specifically, to speed up implementation of the long-planned Deepwater Initiative to upgrade and integrate the Coast Guard's fleet and related communications equipment. The budget resolution before us, following the President's budget proposal, has proposed $500 million for this project in fiscal year 2004, which is only enough to complete the project in 20 years or longer—the timetable outlined before the September 11 attacks. Clearly, current circumstances call for greater urgency. This amendment would provide an additional $700 million, for a total of $1.2 billion in fiscal year 2004, to complete the Deepwater Initiative in closer to 10 years.

In addition to the port security initiatives I have outlined, we must strengthen other components of our border security. In particular, the amendment calls for an additional $1 billion in FY 04 to increase border personnel and to improve information technology systems for the border. On personnel, we must strengthen the presence of Customs and immigration inspectors and of Border Patrol agents in key areas. Indeed, some of these enhancements were mandated by the Patriot Act and the Border Security Act but have not been funded and filled to date. I would allocate additional funds to hire at least 2,000–3,000 new border personnel. With respect to technology, it is especially critical that we expedite implementation of the biometric document system as mandated by the Patriot Act and Border Security Act. The biometric document system will include biologically unique identifiers for immigrants, reducing the risk that immigrants will enter illegally or under an assumed identity. The budget resolution before us clearly has not allocated significant new resources to achieve this new system in the required timeframe, or anything close to it. The additional $1 billion in my amendment would allow us to make significant progress on these border security needs.

We must also invest more in transportation security by increasing funding $1.7 billion over the levels proposed by the administration and the pending budget resolution. As we saw tragically on September 11, 2001, terrorists can exploit weaknesses in our transportation networks to turn them into instruments of terror. The Transportation Security Administration, TSA, was created to confront that grim reality, but it cannot succeed without more support from the Administration and Congress.

The TSA has made its initial mark at our airports, overseeing passenger screening and requirements that baggage be screened for possible explosives. Now, the agency must build on that work by expanding rapidly to other transportation sectors. Unfortunately, the budget resolution before us allows for neither task. It would provide just $4.8 billion for TSA in FY 04, a 10 percent decrease from the Administration's FY03 request of $5.3B.

My amendment calls for $1.7 billion in additional resources to improve transportation security. Among other things, this would restore the Administration's proposed cut to the overall TSA budget, ensure the agency can continue to fulfill its existing missions, and enable the TSA to begin to expand its work beyond passenger airline security to other critical transportation needs including bridges, railways, tunnels, subways and buses.

In addition to this general increase, the amendment would invest an additional $500 million in FY 04 on freight and passenger rail security enhancements, based on legislation approved by the Commerce Committee last session, S. 1991. The bulk of that money would fund security improvements for Amtrak, such as protection of bridges, tunnels and key facilities. Amtrak would also receive money to help improve equipment for emergency communications equipment and other security needs, and to train personnel to detect and handle potential attacks. With respect to mass transit, the amendment would provide $500 million for grants to address urgent transit security needs, as identified by GAO, including communications systems, surveillance equipment and mobile command centers. Additionally, the amendment would call for $200 million in FY 04 for bus security grants, as outlined in legislation S. 1739 that won the endorsement last session of the Commerce Committee. These grants would enable carriers to improve passenger screening, training and communications, surveillance equipment and other security measures.

Next comes preparing ourselves for bioterror attacks and attacks using other weapons of mass destruction—which demands an investment in FY 04 of $3 billion above the pending resolution. Some of the most chilling scenarios posed by homeland security experts are those of a chemical, biological or radiological attack. We are depending on our public health network to help prepare for and respond to such an assault. Yet these health providers have not been given nearly enough resources to fulfill this role.

For example, despite the scope of the threat and our relative lack of preparedness, the resolution would invest just $940 million—flat funding—in CDC grants to help state public health departments care for and track infectious disease outbreaks. That's just not enough. My amendment would provide an additional $1 billion in FY 04—essentially double the proposed and existing funding level—to help these departments detect and cope with a bioterror attack. Among other things, this funding could help defray the costs of administering the Administration's smallpox vaccination program.

In the same vein, my amendment would double the federal appropriation for the Health Resources and Services Administration, which provides money to help hospitals increase capacity, training and supplies. These improvements are essential if our hospitals are to be prepared for a biological, chemical or radiological event, yet, again, President Bush has proposed flat funding for this program. Instead, we should increase this account by $500 million, for a total of about $1 billion.

It will mean little to prepare our health infrastructure, however, if they have no tools to employ—no detective or preventive measures, or countermeasures to administer after an attack. The budget resolution would provide some new funds to confront this challenge—such as the proposed Project Bioshield—but those proposals do not go far enough and are not targeted effectively enough to provide the jumpstart we need in this area.

My amendment would call for an additional $1.5 billion for biothreat and other key research and development countermeasures—particularly efforts to get research from ''bench to bedside,'' translating basic discoveries into usable products. I recommend that the money be available through the following entities: the Homeland Security Advanced Research Projects Agency, HSARPA, the National Bio-Weapons Defense Analysis Center and the Strategic National Stockpile. Increased funding of these three programs would permit adequate funding of promising countermeasures research, essential investigation of the underlying mechanism of biological threats, and procurement of needed medicines and vaccines to our defensive pharmaceutical arsenal. In addition, some of this money should be available to compensate health care workers who suffer ill effects from the smallpox vaccination program urged by the President.

The last but by no means least funding priority I want to address today is permanent protection of our critical infrastructure, which demands a half-billion increase over the pending budget resolution. Homeland security experts have increasingly highlighted the vulnerability of the nation's critical infrastructure as one of the most dangerous gaps in our homeland defenses. About 85 percent of these resources—which include such vital systems as energy distribution grids, chemical and nuclear plants, or financial networks—are in private hands, complicating the process for assuring adequate security.

The administration, and the resolution before us, seem content to continue studying the vulnerabilities of these systems. They have requested about $500 million for this process in FY 04. This would enable far too sluggish progress for such a vital task. My amendment calls for an additional $500 million in FY 04 to get these assessments done at once so that we can move to create action plans and conduct needed security enhancements at the earliest possible moment.

Halfway around the world, the American military and our allies are fighting to disarm a dictator who refused to give up his weapons for 12 long years. I believe our brave men and women in uniform will accomplish their mission—and that when they do, the world will be a safer place for peaceful people, and a worse place for terrorists and tyrants.

But here at home, to guard the land beneath our feet, other men and women in uniform are engaged in another front of the war against terrorism—and unlike the men and women of our armed forces, we have not given them all the support, the training, the technology, and the resources they need to succeed.

We owe it to our nation and ourselves to do better. On September 3, 1939, shortly after Britain declared war on Germany, Winston Churchill said, ''Outside, the storms of war may blow and the lands may be lashed with the fury of its gales, but in our own hearts this Sunday morning there is peace. . . . Our consciences are at rest.''

Our consciences as Americans—and as parents to our children—will only rest when we demonstrate the leadership and invest the resources to counter the fury the terrorists seek to bring upon us. Protecting the American people in an age of terrorism demands strong leadership and enormous resources—and it demands them now.

I yield the floor.

Mr. ENSIGN. Mr. President, the significant budget challenges faced by our Federal Government demand that Congress develop proposals for sound economic growth, while also working to cut wasteful government spending. The Budget resolution before the Senate today goes a long way towards accomplishing that goal.

Even before 9/11, we know now that our current recession began in late 2000.

The attack on America on September 11, the necessary cost of the war on terrorism, and now the threat of a war with Iraq have led to a dramatic deterioration of tax revenues, huge spending increases, and the return to budget deficits.

Over the last 2 years, revenues to the Federal Government have fallen by nearly 9 percent. And spending grew by 12 percent over that same period.

Unfortunately, revenues continue to underperform in 2003.

Congress cannot ignore our struggling economy, and I believe that the resolution before the Senate today addresses many of our economic problems.

The committee-reported budget resolution increases deficits in the near-term in order to invest in the economy and fight the war on terrorism.

The resolution provides over $725 billion during the 10-year period from 2003 to 2013 to the Senate Finance Committee for economic growth and job creation.

This tax relief is designed to let American families keep more of the money they earn. 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 amount provided for this tax relief includes enough to accommodate the President's plans to accelerate the marriage penalty relief, increase the child tax credit, eliminate the double-taxation of dividends, and increase small business expensing limits.

Although I may not agree with all of it, I do believe the President's tax proposal, which we included in this budget, is an overall good plan for solid long-term economic growth.

As you know, Mr. President, the Budget Committee does not dictate tax policy changes. However, the committee resolution does provide enough money for specific growth proposals, but it will ultimately be up to the Fiance Committee to write the policy.

I do agree with those who are concerned about budget deficits. The Budget before the Senate today does include 9 years of deficits. The deficits do grow smaller, and eventually go back to surplus in the out years.

I want to make it clear that I do not excuse the deficits, and I would love to put us immediately into surpluses in this fiscal year. I think it is important that Congress makes the return back to surpluses a top priority. And we are not going to do that by spending.

I also believe we must be realistic in the constraints that the events of the past two years have placed on our ability to balance the budget in the immediate fiscal year.

I have confidence that the fastest way we can get back to surpluses is by fixing the economy through policy changes that encourage economic growth, coupled with a reduction in wasteful government spending. Mr. President, unfortunately, as we all know, in Washington DC we do not actually cut spending.

The best we can hope to do is control the growth of spending.

As Ronald Reagan stated during his State of the Union address on January 25, 1984, ''The problems we're overcoming are not the heritage of one person, party or even one generation. It's just the tendency of government to grow, for practices and programs to become the nearest thing to eternal life we'll ever see on this Earth. And there's always that well-intentioned chorus of voices saying, ''With a little more power and a little more money, we could do so much for people.''

President Reagan was right.

Once we establish a federal program, it develops a constituency and then it becomes impossible to cut. And we love to go home to our constituents and tell them about the money we brought home from Washington DC for our home state projects.

If the other side of the aisle is concerned about deficits, as they say they are, then they should join us in cutting out some of the wasteful spending in the Federal Government.

This resolution may not be the perfect blueprint to surpluses, but it makes a good start by providing both sound tax policy for economic growth, as well as a control in federal spending.

I hope that my colleagues will support this resolution today, and that we will make an effort to tighten up the purse strings around here, and start to work together during these difficult economic times to bring our budget back into balance.

Ms. CANTWELL. Mr. President, I rise today as a cosponsor of the Dorgan prescription drug amendment to the fiscal year 2004 budget resolution.

The fact is, when Medicare was designed in 1965, the system relied on inpatient hospitalization and seldom on outpatient services, preventive care, or patient drug therapies. At that time, prescription drugs only accounted for 4 percent of all personal health care expenditures.

But as we enter the 21st century, the cutting edge of health care has shifted. Every day, as new preventive and therapeutic drugs replace outdated inpatient procedures, Medicare falls further and further behind in providing basic care.

Medicare was written to cover the most basic health care for seniors. When the original bill passed, the legislation's conference report explicitly stated that the program was designed to provide adequate ''medical aid . . . for needy people, and should ''make the best of modern medicine more readily available to the aged.''

Well, we are not making the best use of modern medicine when millions of seniors cannot afford the prescription drugs they need. Prescription drugs that had not even been developed when Medicare was enacted are now an essential aspect of basic health care. We owe it to our seniors to live up to Medicare's original mandate and provide them the best medical care.

Unfortunately, today, beneficiaries' current drug coverage options are often expensive and unreliable. And as a result, nearly 7 out of 10 Medicare beneficiaries lack decent, dependable coverage for their prescription drug needs, and more than one-third have no coverage at all. Prescription drug expenditures for the average senior in my home state of Washington are over $2,100 every year—over 122,000 of my seniors spend more than $4,000 a year.

On average, $1 out of every $5 of every Social Security check to Washington State's seniors is spent on prescription drugs. And seniors with the most serious illnesses spend nearly 40 percent of their Social Security check on prescription drugs.

Senator DORGAN's amendment would ensure a fair and adequately funded Medicare prescription drug benefit. The budget resolution, S. Con. Res. 23, currently reserves up to $400 billion for the Finance Committee to report legislation that strengthens and enhances Medicare, improves the access of beneficiaries under that program to prescription drugs, or promotes geographic equity payments.

This amendment would first increase the Medicare reserve fund by about $220 billion, for a total of $620 billion. The amendment also specifies that beneficiaries in traditional Medicare should receive a drug benefit equal to that of beneficiaries who enroll in private health plans.

The $400 billion that is proposed in the committee resolution for the Medicare reserve fund is not adequate to provide prescription drug coverage for all seniors, because this funding could be used for other Medicare ''reforms''—leaving even less for prescription drugs.

The Dorgan amendment would ensure adequate funding for a reliable prescription drug benefit in Medicare for all beneficiaries. Seniors should not have to abandon traditional Medicare—and join an HMO or other private health plan—to receive the prescription drug coverage they need. The Dorgan amendment ensures fairness: all beneficiaries would have a prescription drug benefit without being forced into HMOs and other private health plans.

In addition to providing a comprehensive, affordable, and adequately funded prescription drug benefit for all Medicare beneficiaries, the amendment would be fiscally responsible by including language to decrease the deficit by $250 billion and reduce the proposed tax cut by roughly $400 billion.

As I visit senior citizen centers in my State of Washington and discuss a prescription drug benefit, my constituents repeatedly tell me the same thing: They want prescription drug coverage to be comprehensive, simple to administer, guaranteed, stable, and based on the very best medical technology. And most importantly, seniors do not want their prescription drug benefit run through an HMO or other private insurance company.

In fact, according to a June 2002 survey by the Kaiser Family Foundation and the Kennedy School of Government, 67 percent of American people believe we should expand Medicare to pay for part of prescription drugs, but only 26 percent say we should help seniors buy private insurance to pay for prescription drugs costs.

Seniors want a prescription drug benefit run through Medicare—a program they understand and upon which they depend. The Dorgan amendment would ensure that seniors have this choice.

Despite basic Federal standards included in Bush's Medicare Prescription Drug plan, a private delivery model means that insurers can vary premium costs, benefit design, and the availability of drug coverage across the country. They can create strict formularies that limit access to prescribed drugs and bar access to local pharmacies. That's too much flexibility in a program that is supposed to guarantee help for seniors.

The very basic issue here is that the private market will not cover such a high-risk population—especially a population at such risk for adverse selection. I don't want to see this benefit be a repeat of the Medicare+Choice program. And if the private insurance model hasn't worked for the full Medicare benefit, it certainly won't work for a single benefit where utilization is expected to be high.

For seniors who choose to remain in the traditional Medicare program, the Bush plan proposes a prescription drug discount card. The GAO estimates that the prescription drug discount cards will provide less than a $3.50 discount per prescription. However, the National Association of Chain Drugstores estimates that the average retail cost for an outpatient prescription drug in 2001 was $54.55.

Clearly, the prescription drug discount cards do not offer a viable prescription drug benefit for America's seniors. In addition, the low-income subsidy of $600 to supplement the prescription drug discount cards is a false promise of assistance for seniors, who spend an average of $2,317 on prescription drugs each year.

Seniors account for 12.6 percent of the general population—but a third of all prescription drug expenditures. And while prescriptions are expensive—in some cases, prohibitively so—these are the very same prescription drugs that keep people out of the hospital, out of the nursing home, and living vibrant and happy lives. And while it is difficult to quantify in economic terms, prescription drugs preserve health and eliminate unnecessary hospitalization—which is by far most expensive segment of the health care.

Americans are becoming increasingly reliant on more effective—and more complicated—drug therapies. Total health care spending in the United States will total more than $1.5 trillion this year, an increase of 8.6 percent over last year, according to a March report released by the Centers for Medicare and Medicaid Services.

Prescription drug expenditures are the fastest growing segment of the health care market—with spending on outpatient prescription drugs by Medicare beneficiaries alone increasing by 12 percent annually. CMS predicts that prescription drug expenditures will continue to increase faster than any other category of health care spending throughout the next ten years.

In 1970, drug expenditures in the United States were about $5.5 billion. Now, for Medicare beneficiaries alone, the CBO projects that total drug spending will grow from $95 billion in 2003 to $284 billion in 2013. This is a total of $1.8 trillion on prescription drug costs over the next ten years. Medicare beneficiaries alone will spend $1.8 trillion on prescription drugs over the next ten years.

But while we discuss the potential cost of a new benefit, we also need to discuss national priorities. I believe we can do a fair and adequately funded prescription drug benefit while living within our budget, and we can do so by having a clear vision for our country's priorities. One of my top priorities is getting a new prescription drug benefit to the Medicare beneficiaries in Washington State. But this may mean making other tough choices.

I strongly believe that we need to include a prescription drug benefit in the Medicare program and I will continue to fight to ensure that all Washingtonians have access to the prescription medications they need.

Ms. MIKULSKI. Mr. President, I rise in support of the Sarbanes-Jeffords-Mikulski-Graham water infrastructure amendment.

Our amendment is simple and straightforward: It adds $3 billion to the 2004 budget resolution for a total of $5.2 billion for water and sewer infrastructure in 2004. The amendment increases funding for EPA's Clean Water State Revolving Loan Fund from $1.35 billion to $3.2 billion, and increases funding for EPA's Drinking Water State Revolving Loan Fund from $850 million to $2 billion.

Our amendment is necessary for two reasons.

First, our Nation's communities are facing enormous needs in their efforts to provide clean and safe water. The need for better sewer and drinking water systems is much greater than what we put in the Federal checkbook each year. These needs have been studied and restudied and the needs are real and valid.

In April 2000, the Water Infrastructure Network reported that our Nation's water and wastewater systems will face a funding gap of $23 billion a year over the next 20 years. In November 2001, the general Accounting Office reported that cost range from $300 billion to $1 trillion over the next 20 years. In September 2002, the Environmental Protection Agency reported that demands for improved sewer and drinking water systems will outstrip current levels by $535 billion. And in November 2002, the Congressional Budget Office reported that water and sewer costs could average as much as $40 billion each year. The results are conclusive and the need is real and valid.

We are not putting enough funding in the Federal checkbook each year. The current level for water infrastructure is only $2.2 billion. We can't expect communities to comply with growing regulations like arsenic, radon, and new requirements related to security, to name just a few, without increased financial assistance.

If we don't help, the entire burden falls on local ratepayers. In many urban and rural low-income areas, rate increases are just not affordable. My hometown of Baltimore is facing a $1 billion cost in order to meet Federal regulations.

The second reason that this amendment is necessary is for job creation. The economy lost 300,000 jobs in February. Water infrastructure funding creates jobs. For every $1 billion we spend on water infrastructure, up to 40,000 jobs are created.

This amendment is a mini-stimulus package for three reasons:

First, it will create and sustain jobs. As I stated, for every $1 billion in SRF funding, about 40,000 jobs are created. Second, the amendment is temporary and targeted.

The amendment is a one-time, $3 billion increase of an existing program. It does not create a new bureaucracy. Third, the amendment does not contribute to long-term deficits because the $3 billion is fully offset by reducing the tax cut.

This $3 billion increase for water infrastructure is less than one-half of 1 percent of the $726 billion tax cut in this budget resolution.

Mr. President, the Sarbanes-Jeffords-Mikulski-Graham amendment helps our communities by providing more funding for immediate water and sewer needs and by creating jobs.

I urge my colleagues to support the amendment.

Mr. SPECTER. Mr. President, I have sought recognition today to speak to a $2.8 billion amendment on behalf of Senator HARKIN, myself and others to increase the health function in this resolution. The amendment would add to the funding already included in the resolution for the National Institutes of Health, the Centers for Disease Control, and the Health Resources and Services Administration as well as other health programs. The amendment is offset by an across-the-board reduction in function 920. This reduction would not cut programs, but simply reduce administrative expenses, travel, and consulting services by .36 percent. This amendment would provide NIH with a $2.3 billion increase over the fiscal year 2003 appropriation.

As chairman of the Appropriations Subcommittee for Labor, Health and Human Services, Education and Related Agencies, I have said many times that the National Institutes of Health is the crown jewel of the Federal Government—perhaps the only jewel of the Federal Government. When I came to the Senate in 1981, NIH spending totaled $3.6 billion. The fiscal year 2003 omnibus appropriations bill contained $27.2 billion for the NIH which completed the doubling begun in fiscal year 1998. This money has been very well spent. The successes realized by this investment in NIH have spawned revolutionary advances in our knowledge and treatment for diseases such as cancer, Alzheimer's disease, Parkinson's disease, mental illnesses, diabetes, osteoporosis, heart disease, ALS, and many others. It is clear that Congress's commitment to the NIH is paying off. Now it is crucial that increased funding be continued in order to translate these advances into additional treatments and cures. Our investment has resulted in new generations of AIDS drugs which are reducing the presence of the AIDS virus in HIV-infected persons to nearly undetectable levels. Death rates from cancer have begun a steady decline. With the sequencing of the human genome, we will begin, over the next few years, to reap the benefits in many fields of research. And if scientists are correct, stem cell research could result in a veritable fountain of youth by replacing diseased or damaged cells. I anxiously await the results of all of these avenues of remarkable research. This is the time to seize the scientific opportunities that lie before us.

On May 21, 1997, the Senate passed a sense-of-the-Senate resolution stating that funding for the NIH should be doubled over 5 years. Regrettably, even though the resolution was passed by an overwhelming vote of 98 to nothing, the budget resolution contained a $100 million reduction for health programs. That prompted Senator HARKIN and myself to offer an amendment to the budget resolution to add $1.1 billion to carry out the expressed sense of the Senate to increase NIH funding. Unfortunately, our amendment was tabled by a vote of 63 to 37. We were extremely disappointed that, while the Senate had expressed its druthers on a resolution, it was simply unwilling to put up the actual dollars to accomplish this vital goal.

The following year, Senator HARKIN and I again introduced an amendment to the budget resolution which called for a $2 billion increase for the NIH. While we gained more support on this vote than in the previous year, our amendment was again tabled by a vote of 57–41. Not to be deterred, Senator HARKIN and I again went to work with our subcommittee and we were able to add an additional $2 billion to the NIH account for fiscal year 1999.

In fiscal year 2000, Senator HARKIN and I offered another amendment to the budget resolution to add $1.4 billion to the health accounts, over and above the $600 million increase which had already been provided by the Budget Committee. Despite this amendment's defeat by a vote of 47 to 52, we were able to provide a $2.3 billion increase for NIH in the fiscal year 2000 appropriations bill.

In fiscal year 2001, Senator HARKIN and I again offered an amendment to the budget resolution to increase funding for health programs by $1.6 billion. This amendment passed by a vote of 55 to 45. This victory brought the NIH increase to $2.7 billion for fiscal year 2001. However, after late night conference negotiations with the House, the funding for NIH was cut by $200 million below that amount.

In fiscal year 2002, the budget resolution once again fell short of the amount necessary to achieve the NIH doubling. Senator HARKIN and I, along with nine other Senators offered an amendment to add an additional $700 million to the resolution to achieve our goal. The vote was 96 to 4. The Senate Labor-HHS subcommittee reported a bill recommending $23.7 billion, an increase of $3.4 billion over the previous year's funding. But during conference negotiations with the House, we once again fell short by $410 million. That meant that in order to stay on a path to double NIH, we would need to provide an increase of $3.7 billion in the fiscal year 2003. The fiscal year 2003 omnibus appropriations bill contained the additional $3.7 billion, which achieves the doubling effort. We have fought long and hard to make the doubling of funding a reality, but until treatments and cures are found for the

many maladies that continue to plague our society, we must continue our fight.

I, like millions of Americans, have benefited tremendously from the investment we have made in the National Institutes of Health and the amendment that we offer today will continue to carry forward the important research work of the world's premier medical research facility.

While the budget resolution assumes some increases in chronic disease, health statistics and HIV/AIDS, cuts in other CDC programs total over $300 million. This amendment would add $600 million to the amount already assumed in this resolution.

Several years ago, I visited the Centers for Disease Control and Prevention and was appalled at the deplorable conditions of the laboratories and buildings at the Atlanta campus. I found laboratory facilities with roofs that were leaking on high-technology equipment, equipment falling through rotted floors, and bathrooms that had been converted into labs and office space. The CDC, as the lead Federal agency responsible for promoting health and preventing and controlling disease, should have adequate facilities and equipment to carry out its mission. To address the facility and equipment needs, Senator HARKIN and I included $175 million in fiscal year 2001 to begin renovations on campus. In fiscal year 2002, we included $250 million and the same amount was appropriated in fiscal year 2003. The amount assumed in the budget resolution is inadequate to continue the construction work needed to make the CDC safe for workers and ensure that the next public health emergency will not overwhelm the current capacities of the CDC to respond to a biodefense attack or other illness. Additional dollars are also needed for prevention and health promotion programs such as immunization, tuberculosis, cancers and cardiovascular disease.

The budget resolution assumes a decrease of $785 million for the Health Resources and Services Administration. This amendment would add $400 million to restore some of the proposed cuts in health professions and provide for program increases in Ryan White AIDS, abstinence education and Children's Hospitals Graduate Medical Education.

The increases included in this amendment are essential if we are to continue to carry forward the important work at the world's premier medical research facility, ensure that the CDC has equipment and laboratories to confront any public health crisis that may occur, and provide the Health Resources and Services Administration with the dollars necessary to fund community health centers, train health care professionals, and confront the AIDS crisis.

I ask that you join Senator HARKIN and me in supporting the amendment.

Mr. GRASSLEY. Mr. President, I rise to address Senators LAUTENBERG and CORZINE'S proposed amendment to the budget resolution. Superfund and the cleanup of pollution sites should be an important concern to all of us. We must be concerned that our future generations are not jeopardized by past inactions. But this amendment has been offered in an inapproprate forum, at an inappropriate place, using an inappropriate procedural method and I have voted no. As chairman of the Finance Committee, we will be able to consider this issue under more appropriate circumstances.

Mr. DASCHLE. Mr. President, while our thoughts are with our troops, the business of Congress continues. And we need to approach our challenges at home with the same resolve and the same seriousness of purpose with which our sons and daughters are confronting the threat abroad. It is sadly ironic that at the very time when our service men and women are inspiring us with their courage in the face of danger, this budget runs and hides from one challenge after another while showering $1.4 trillion in tax breaks primarily to the most prosperous among us.

Month after month, more American families are suffering from the failure of this administration's irresponsible economic strategy. With the economy hemorrhaging jobs from every sector, an increasing number of Americans are losing faith that they will ever find a job. But with this budget, Republicans have turned their backs on the problems of American families. Instead of offering new ideas and new solutions, the administration continues to push a tired ideology that has turned our economy into a job-destroying machine. This budget will hang some $1.5 trillion of debt around the necks of our children. They will be paying for this mistake for decades to come. The President's own economists agree that these chronic deficits will raise interest rates, hold back our economy today, and rob opportunity from even more Americans.

And though all Americans' thoughts are with our Armed Forces today, I would ask that they take a moment to ask, why is this Republican Congress saddling our children with record-breaking deficits and massive debt? It is not to fund the war or the rebuilding of Iraq that will follow. It is not to protect our homeland. Republicans continue to shortchange the police and firefighters who need our help to prevent or respond to a terrorist attack in their own communities, and continue to oppose funding to better secure our borders, ports, and vulnerable infrastructure. It is not to get our economy moving again. Like the President's budget, the Republican resolution before us contains very little to immediately stimulate the economy. It is not to provide all of our seniors with a real Medicare prescription drug plan or strengthen Social Security for the coming generation of retirees. This plan starves Medicare and raids the Social Security surplus. It is not to come to the aid of States and local governments that are suffering the worst fiscal crisis in 50 years. This budget will place an even greater burden on our States. And it is not to build world-class schools so our children have the tools and skills they need to make the most of their own lives. While some schools around our country will be forced to shut their doors early this year due to budget cuts, the President's plan falls $10 billion short of his own promise to education.

This budget is not about meeting the challenges of the moment or the future. This budget is about one thing, and one thing only. More new tax breaks for the very wealthy at the expense of everyone else. At the expense of deep cuts in domestic priorities. At the expense of record deficits that will be imposed on our children and grandchildren.

Any other year, this budget would be seen as mean-spirited and divisive. Today it is shameful. Across the globe, on display for all the world to see, young men and women are risking their lives to secure the lives and liberty of others. And yet here in this Capitol, on display for the world to see, a Republican Congress is taking money out of the pockets of our own children. It is choosing not to provide the necessary resources to make our homeland more secure. It is choosing not to give States any help to deal with their mounting fiscal crisis. It is choosing not to keep its commitments on education. It is choosing not to provide needed health care and prescription drug coverage to our most ill and vulnerable. With all those challenges and needs, this Congress instead is choosing to give hundreds of billions in new tax breaks to the wealthiest among us.

Democrats are going to keep fighting to fund homeland security, provide a real Medicare prescription drug benefit; honor our commitment to our students and teachers; restore funding to make up for Republican cuts to national defense and veterans programs, and offer relief to our States and local governments. This is not a time to shrink from our responsibilities to one another. We need to meet the test of this demanding moment in our history. This Congress should be producing a budget that reflects the very best of our Nation, the spirit that our soldiers exemplify the spirit of honor, sacrifice, and duty in the service of a better future for us all.

Mr. FRIST. Mr. President, I ask unanimous consent that no later than 4 p.m. on Monday, the ranking member of the Budget Committee provide to the chairman a list of 40 amendments, and the chairman provide to the ranking member a list of no more than 40 amendments, which would then be in order to be offered to the budget resolution; I also ask unanimous consent that the Senate then resume consideration of the budget resolution at 9:30 a.m. on Tuesday and, at that time, it be in order for the majority leader or

the Democratic leader or their designees to offer amendments from the respective list, and the Senate would then proceed to votes in relation to the amendments as provided for under the Budget Act, with 2 minutes for debate equally divided prior to the vote, with relevant second-degree amendments; provided that no later than 4 p.m. on Wednesday, March 26, the Senate proceed to a vote on passage of S. Con. Res. 23, with no intervening action or debate.

I further ask consent that immediately upon passage of the resolution, the Senate proceed to the consideration of H. Con. Res 95, the House budget resolution; further, all after the resolving clause be stricken and the text of S. Con. Res. 23, as amended, be inserted in lieu thereof, the resolution be adopted, and the Senate insist on its amendment, request a conference with the House, and the Chair then be authorized to appoint conferees on the part of the Senate.

Mr. DASCHLE. Mr. President, reserving the right to object, I want to thank all of our colleagues, especially colleagues on my side of the aisle who have a great deal of skepticism, I would say, about this particular proposal. I think it is equally clear that there is skepticism on both sides.

We have been through a good deal of debate over the last several days. I think we have made progress. This will accommodate adequate progress on both sides. I will say, as the majority leader and I have discussed on a few occasions, that this agreement requires a good deal of trust on both sides. We are trusting our Republican colleagues to work with us to accommodate the consideration of 40 amendments. They are trusting us that we will share with them those amendments, that we will be able to work through them, that they will have an opportunity to review them, and that we will complete our work at 4 o'clock.

So it does require cooperation and a level of trust that I hope will set a standard and example for other action we take later on. So I hope that our colleagues will continue to cooperate in the course of the next couple of days.

I have designated the ranking member of the Budget Committee and our extraordinary assistant Democratic leader. They have been tasked with the responsibility of determining these 40 amendments. So we will work over the weekend and we will, as this agreement requires, provide those amendments on Monday.

I appreciate very much the cooperation and the trust of the distinguished majority leader and the chairman of the Budget Committee. This certainly is the best way to accommodate the needs of both of our caucuses. I congratulate my colleagues for doing so.

Mr. FRIST. Mr. President, I will comment and then turn to the chairman of the Budget Committee. I want to briefly say this and close my remarks by expressing my appreciation to our caucus and to the chairman of the Budget Committee, and especially to the leadership on the other side of the aisle and the ranking member. As most people know, we have been negotiating and discussing in the last several hours how to bring to closure what we all know is a big challenge, given the number of amendments that we have before us.

We put our heads together and, after a lot of conversation and, as the Democratic leader said, basing a lot of what we are setting out to do over the next several days on trust, came up with an agreement that is not perfect on either side, but it is the best we can do to give some finite closure to this challenge.

In addition, we have had a very good week. It is late on a Friday night and our colleagues have worked very hard. Indeed, we had very good and productive discussions. We have done a number of amendments. I congratulate the ranking member and chairman in bringing those to the floor and having good debate today.

In addition to that, the resolution we agreed to sent a very important signal to our troops, our military, and our Commander in Chief: our gratitude, respect, and support.

So we have actually accomplished a lot this week. We were unable to fulfill what I had initially hoped, and that was to pass the budget resolution by late tonight. But given the fact that at this hour we still have many outstanding amendments, I am very pleased with the agreement. I thank the leadership and the chairman and ranking member.

Mr. NICKLES. If the leader will yield, I have a couple of comments. One, I appreciate the cooperation of the leader and Senator DASCHLE and Senator REID and Senator CONRAD. But just for the information of our colleagues, we are going to have a very tough couple of days, a lot of work to do on Tuesday and Wednesday. I urge our colleagues to be ready to go. I think the order called for us going into session at 9:30 Tuesday morning.

Today, we worked long and hard. We had about 15 rollcall votes, and I believe we accepted probably another 15 amendments, counting the last 7. It is going to be very challenging work. So I urge our colleagues to be notified of the fact that they need to be here at 9:30 Tuesday morning and expect a long day—a lot of votes on Tuesday and a lot of votes on Wednesday. It is going to take the cooperation of all Members for us to meet this ambitious goal. It will not be easy and it probably won't be very pretty. Hopefully, we will be successful in meeting our objectives. There is nothing in the unanimous consent agreement saying we have to agree to 40 amendments?

Mr. DASCHLE. No; we tried that, Mr. President.

Mr. NICKLES. I just wanted to make sure.

The PRESIDING OFFICER. Is there objection? The Senator from North Dakota.

Mr. CONRAD. Mr. President, first of all, the leaders have indicated there has to be trust on both sides. The chairman of the committee has shown himself to be trustworthy in these long, difficult negotiations this whole week. We had instances last night where I had to make a decision that could have disadvantaged our side and did it because that was keeping a promise. The chairman of the committee had to make a decision today that could have disadvantaged his side, but he did it to keep faith with the commitment that he made.

I want colleagues on our side to know the chairman of the committee has repeatedly demonstrated trustworthiness. That is important to the functioning of this body. We are going to have to really work together very closely to resolve these matters.

Let me say in conclusion to our colleagues on this side, we have 135 amendments pending. We only have 40 spots. That means Senators are going to have to give up what is their right to offer amendments. That is the most precious right any Senator has. So we understand why they guard that right with real fervor at times. But I hope people understand there is no way we can fit 135 into 40. It is going to take restraint, and it is going to take trust.

I think together over these next days we will demonstrate we are worthy of this body we serve and this country we love.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The majority leader.

Mr. FRIST. Mr. President, in wrap-up a little bit later tonight, we will be more specific, but for our colleagues, on Monday we will not be having votes, but we will be in session. We will talk about the day. We will not be voting on Monday. We need to have everybody here on time Tuesday because we will be voting in a vote-athon, as we have come to call it, starting early in the morning. We want people to make plans accordingly.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to a period for morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ACTIONS CONSISTENT WITH THE WAR POWERS RESOLUTION

Mr. STEVENS. Mr. President, as President pro tempore, I send to the desk a letter received from the President of the United States wherein he informs the Congress of his comments concerning his actions consistent with the War Powers Resolution, Public Law 107–40. I ask unanimous consent it be printed in the RECORD.

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

THE WHITE HOUSE,
Washington, March 20, 2003.

Hon. TED STEVENS,
President pro tempore of the Senate, Washington, DC.

DEAR MR. PRESIDENT: On September 24, 2001, I reported the deployment of various combat-equipped and combat support forces to a number of locations in the Central and Pacific Command areas of operation. On October 9, 2001, I reported the beginning of combat action in Afghanistan against terrorists and their Taliban supporters. In my reports to the Congress of March 20 and September 20, 2002, I provided supplemental information on the deployment of combat-equipped and combat support forces to a number of foreign nations in the Central and Pacific Command areas of operations and other areas. As a part of my efforts to keep the Congress informed, I am reporting further on United States' efforts in the global war on terrorism.

Our efforts in Afghanistan have met with success, but as I have stated in my previous reports, the U.S. campaign against terrorism will be lengthy. To date, U.S. Armed Forces, with the assistance of numerous coalition partners, have executed a superb campaign to eliminate the primary source of support to the terrorists who viciously attacked our Nation on September 11, 2001. The heart of al-Qaida's training capability has been seriously degraded. The Taliban's ability to brutalize the Afghan people and to harbor and support terrorists has been virtually eliminated. Pockets of al-Qaida and Taliban forces remain a threat to U.S. and coalition forces and to the Afghan government. What is left of both the Taliban and the al-Qaida fighters is being pursued actively and engaged by U.S. and coalition forces. Additionally, training missions and combat operations with Pakistani special forces are ongoing near the Afghan/Pakistan border.

Due to our success in Afghanistan, we have detained hundreds of al-Qaida and Taliban fighters who are believed to pose a continuing threat to the United States and its interests. The combat-equipped and combat support forces deployed to Naval Base, Guantanamo Bay, Cuba, in the Southern Command area of operations since January 2002, continue to conduct secure detention operations. We currently hold more than 600 enemy combatants at Guantanamo Bay. All are being treated humanely and, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles of the Geneva Conventions of 1949.

In furtherance of our worldwide efforts against terrorists who pose a continuing and imminent threat to the United States, our friends and allies, and our forces abroad, we continue operations in other areas around the globe. Our relationship with the Government and Armed Forces of the Philippines (AFP) developed and matured throughout 2002. Last year's actions from February to July 2002 on Basilan Island, with AFP in command and with U.S. forces in a support role, helped to drive hundreds of Abu Sayyaf Group terrorists from the island, restoring order and reestablishing government services. To ensure that the AFP has the skills to fight terrorism over the long term, we have a robust security assistance training program and a variety of exercises that will provide the AFP much needed counter-terrorism training and equipment. There are approximately 300 combat-equipped and combat support U.S. military personnel working with the AFP and U.S. forces continue to plan with the AFP for possible future activities. Continued U.S. support is warranted as the Government of the Philippines has provided unwavering support in the global war on terrorism.

Additionally, we continue to conduct maritime interception operations on the high seas in the Central and European Command areas of responsibility to prevent the movement, arming, or financing of international terrorists who pose a continuing threat to the United States.

Combat-equipped and combat support forces also have been deployed to Georgia and Yemen to assist the armed forces of those countries in enhancing their counter-terrorism capabilities, including by training and equipping their armed forces. Similar U.S. forces have deployed to Djibouti to command and control operations and other activities as necessary against al-Qaida and other international terrorists in the Horn of Africa region. These activities include providing oversight for urban and maritime counter-terrorism training with the Yemen special operations forces. We continue to assess options for working with other nations to assist them in this respect.

I have taken these actions pursuant to my constitutional authority to conduct U.S. foreign relations and as Commander in Chief and Chief Executive. In addition, these actions are consistent with Pub. L. 107–40. As I stated in my previous reports, it is not possible to know at this time either the duration of combat operations or the scope and duration of the deployment of U.S. Armed Forces necessary to counter the terrorist threat to the United States. I will direct additional measures as necessary to exercise our right to self-defense and to protect U.S. citizens and interests. Such measures may include short notice deployments of special operations and other forces for sensitive operations in various locations throughout the world.

I am providing this report as part of my efforts to keep the Congress informed, consistent with the War Powers Resolution and Pub. L. 107–40. Officials of my Administration and I have been communicating regularly with the leadership and other Members of Congress, and we will continue to do so. I appreciate the continuing support of the Congress in our efforts to protect the security of the United States of America and its citizens, civilian and military, here and abroad.

Sincerely,

GEORGE W. BUSH.

TRIBUTES TO DR. LLOYD JOHN OGILVIE

Mr. NICKLES. Mr. President, I would like to take this opportunity to express my gratitude to Dr. Lloyd Ogilvie, who served as our Chaplain in the Senate since 1995.

Dr. Ogilvie has been an outstanding Chaplain to the Senate. He is a person I think all of us have grown to know and love and appreciate. He has been our mentor, our companion, our friend, our brother, and our Chaplain.

He has provided great leadership, great prayers. He has prayed for us many times, and not just in his official capacity as Chaplain of the Senate. He has prayed for us individually as Members. He has prayed for our families. He has been with us through a lot of difficult times, challenging times, exciting times.

We want him and his family to know they are very much in our thoughts and prayers. His wife Mary Jane is a lovely lady. And she has experienced some very challenging physical tribulations of late. We want both Dr. Ogilvie and his wife Mary Jane to know they are in our thoughts and our prayers.

We certainly miss him as our Chaplain. He has been kind enough to not only meet with us in the morning and lead us in prayer, but he has met with many of us on a weekly basis—Members of the Senate and also our staffs, and also other people who work in the Senate.

He has been a great mentor and friend. We are certainly going to miss him as our Chaplain of the Senate.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I, too, would like to share a few comments about our Chaplain, Lloyd Ogilvie. I had the honor to get to know him after I came here. We live near one another. We see each other on a regular basis. My wife and Mary Jane are friends, as we are with Lloyd Ogilvie.

He is an extraordinary individual, one of the most educated people I have had the honor to know. He has written over 40 books. His book ''One Quiet Moment'', a devotional, I believe, is the finest devotional book I have ever seen. Reading those devotions, and thinking about them, is so current in time today while also so consistent with the great traditions of faith that it is really remarkable.

It is a special work he created there.

During his entire ministry, he was successful, whether in Hollywood, CA or in Illinois or here as chaplain. Our prayers are with Mary Jane, his wife. She is suffering substantially now. We worry about her. We care about her. Our prayers are with her. She has such a fighting spirit. She is a champion of life and of the good things of life. She speaks her mind and she has great values. They are a tremendous team.

I, too, join with others in expressing my appreciation for what he means to me, my appreciation for what he does for others in the Senate, including our staff members for whom he has ministered and for whom he has represented an outstanding example of the richest kind of Christian faith.

We have been blessed by having him here. We certainly will miss him. I will miss him.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I wish to comment a moment on our Chaplain who is leaving us.

I vividly recall when our previous Chaplain indicated he was not going to serve us any longer. Many of us thought it would be impossible to replace him. I was in a small group—I don't remember if it was three or five Senators—who were given the job of going out and looking in America for another Chaplain. Senator STEVENS was a member, I recall. So was Senator Mark Hatfield. I don't recall the others.

There were a lot of people. I was not so sure that Lloyd Ogilvie, based on the things he had done in his life—he was a great preacher; he had large assemblies of Christians he spoke to in the California area. I did not believe, as one, that he would necessarily fit in, but I said: Let's try him.

He preaches with a beautiful voice; he sounds almost like you would expect God to sound. He came, and he has been absolutely marvelous. Everybody here has learned to grow in faith and confidence having him around.

It is too bad he has to leave, but he is a very loyal man in terms of his marriage and his wife. I think her illness takes him to join her. I hope she gets well, although she has been very critical and he sees fit to be present there with her.

So we all say good-bye and good luck. Whomever he serves and whomever he shares his views with as to where we came from, where we are going to go when we finish here on Earth, and our value system, I am sure they will all benefit, just as we have.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, let me add my voice in commendation of Lloyd Ogilvie. He has been superb as the religious leader of this body.

Several years ago, my chief of staff died suddenly and unexpectedly. I called Dr. Ogilvie on very short notice and asked him to come and lead my staff in prayer and remembrance. I will never forget the extraordinary job, the extraordinary sensitivity that Dr. Ogilvie brought to that task. I will never forget the way he made my staff feel better in a very acute time of loss.

Dr. Ogilvie has been a remarkable friend to us all; he has done a superb job of leading us in prayer, and been a counselor to so many in the Senate family. We are going to miss him very much, and certainly miss the presence of Mary Jane as well.

I thank the Chair.

Mr. ENSIGN. Mr. President, I thank the Senator from Oklahoma for talking about our chaplain. Lloyd Ogilvie was very influential in the very short time I knew him these last 2 years. A lot of people around the country don't know him, but he provided a very valuable service to the country by being the spiritual foundation not for just Senators but for the entire Senate family.

Because Lloyd Ogilvie had a television ministry, I was very skeptical about who this Senate chaplain was when I first came here a little over 2 years ago. He leads Bible studies. He leads prayer groups. He leads times to get together for people. Regardless of faith, whether somebody was Muslim, Jewish or a follower of Jesus, Lloyd John Ogilvie was there for us in the truest sense of the word.

He knew what was going on in individual people's lives. If somebody was suffering, he knew about it because people trusted him enough to bring him into their confidence. As we have seen over the last couple years, he was there when the Senate was suffering as a family. He would come and comfort us, and he would lead us from a spiritual sense. I have come to greatly admire this man.

One of his sayings was quoted in an article I read that helped inspire me to run for Congress back in 1994. The saying was: You may only be able to make a small difference, but that does not relieve you of the responsibility to make that small difference.

People say you can't change the world, so why try. That quote by Lloyd John Ogilvie tells us of the responsibility we have. Whatever small difference you can make, that is what you are called to make.

This man, who I believe at the end of his days will come before the Father in heaven, the Father in heaven will put his hand on his head and he will say to Lloyd John Ogilvie: Well done, good and faithful servant.

Each of us in the Senate family look to Lloyd John Ogilvie and say to him: Thank you. He has truly been a good and faithful servant. My prayers go out to him and Mary Jane. She is suffering tremendously. All of us together have been joining in prayer to relieve her suffering. It has been a terrible thing to watch them go through. Even through this terrible suffering, we have seen the strength of Lloyd and Mary Jane. They have been a comfort to us even through this time of trial.

I thank both of them for their service to this country and to the Senate family.

Mr. CHAMBLISS. Mr. President, let me add my appreciation to Dr. Lloyd Ogilvie for his terrific service to this great institution. I have been a Member here for not even 3 months now. Lloyd Ogilvie has added such great inspiration to my life. It has been a joy to get to know him and to have the opportunity to listen to him, to learn from him in our Bible study, to share our Wednesday morning prayer breakfast with him, and to have some private time with him. It has been a real joy, a privilege, and something that truly got my career in the Senate started in the right way.

We are all here truly by the grace of God. There is nobody who understands the grace of God and is able to express it better than Lloyd Ogilvie.

My wife is a very strong Christian, and the highlight of her week, when she is able to be up here, is the Tuesday Bible study that the spouses attend. Dr. Ogilvie exhibits that same inspiration to the spouses as he does to us.

We will miss this guy. He is such a great man, a great spiritual leader, and a great American. What he and Mary Jane have been through over the last couple of years is an inspiration to all of us. It lets us know that good men suffer just like everybody else in the world, and Lloyd Ogilvie and Mary Jane have been through very difficult times.

God has a place for all of us, and God truly has placed Lloyd and Mary Jane in the right place at the right time by sending him to the Senate.

I told Lloyd this in the last Bible study he led last week. The first time I met him I was not a Member of the Senate. I was a Member of the House, and I attended the funeral of my close friend and Georgia colleague, Senator Paul Coverdell. It was in a Methodist church in Atlanta. When they said that Dr. Lloyd Ogilvie, who I knew was a Presbyterian minister, was going to have the service, I said: Who is this guy? Why is he coming down to do my friend Paul's service?

I told him the other day, I said: It didn't take but one sentence out of your mouth, Lloyd, to understand why you are where you are, that God had truly placed you in the right position. And what a terrific job he did for the Coverdell family and all of us at a very difficult time in the life of my State, the life of me personally, and certainly the life of the Coverdell family at that point in time.

We obviously will keep Lloyd and Mary Jane in our thoughts and prayers every single day as they continue to go through difficult times. Mary Jane had a better day the other day. And when it was reported at the prayer breakfast on Wednesday morning, you could just see the light in the room brighten because we knew that Mary Jane was feeling better, which meant Lloyd was feeling better, which meant all of us were feeling better.

We do cherish the moments we have with Lloyd. We thank him for his great service to our country and to this great institution. We wish him and Mary Jane Godspeed. They will continue to be in our prayers every single day.

Mr. SANTORUM. Mr. President, I rise today to honor and thank Chaplain Ogilvie for his service and devotion to the entire Senate family over the past 8 years. Dr. Lloyd John Ogilvie has been the Chamber's spiritual leader since the 104th Congress, having been nominated to the Chaplaincy by Majority Leader Robert Dole in 1995, the same year I joined the United States Senate. Throughout his tenure here, he has fulfilled his role as ''an intercessor, trusted prayer partner, and faithful counselor'' with the commitment, compassion, and comforting grace of a learned and sincere man of God. There are many among us in the Senate who have sought his wisdom and found solace in his council and friendship.

In addition to listening to his beautiful prayers at the commencement of each legislative session, I have been a regular participant in his weekly Bible study groups. Like many of my colleagues, I have watched Dr. Ogilvie execute his office with a great joy for the work he does and a deep respect for the moral difficulties we often face as the Nation's lawmakers. In times both of celebration and distress, Chaplain Ogilvie always did more than make himself available to the thousands of Senate members, staff, and employees; he reached out to our community and brought us together, inviting all faiths and all kinds to be a part of the family. Throughout the tragic events of September 11, 2001, and in the confusing, frightening time that followed, we witnessed Dr. Ogilvie's amazing capacity for calming and focusing our thoughts, encouraging their expression, and reminding us of the strength we possess when we put our faith in God.

Chaplain Ogilvie has been a particularly important figure in my private and professional lives. We pray together daily and frequently discuss questions of ethics, religion, and law. But he has also shared in the personal experiences and sorrows that my own family has undergone. Prayerfully guiding me and my wife through the loss of our son, Gabriel, Dr. Ogilvie's reassuring words and his friendship were an invaluable source of peace for us then, as they continue to be now.

I have much admiration for Lloyd John Ogilvie, and am grateful to him, for leading us all by the example of his life. As he relinquishes the Senate Chaplaincy and returns to California and to his wife, he reminds us that our most important responsibilities are always to our families and loved ones, and through them, to God.

Thank you, Lloyd, for showing us where the right path leads, for serving the Senate and our Lord faithfully, and for helping the Senate family to weather our personal and collective difficulties. Your guidance and your companionship will be greatly missed.

Mr. HAGEL. Mr. President, we will all miss our dear friend Dr. Lloyd J. Ogilvie. His distinguished service to the Senate has been an important part of this institution during this historic time. Since he was appointed Senate Chaplain in 1995, Dr. Ogilvie has offered guidance, support, and prayers to Senators, their staffs, and our families. He has greatly enhanced the Office of Senate Chaplain that was instituted at the Senate's first meeting in 1789.

Dr. Ogilvie's ministry has been a ballast and a bridge for Senators on both sides of the aisle. His spiritual leadership has been strong. His service has been selfless. As he takes up his work outside of the Senate, Lilibet and I wish to express our profound gratitude for the inspiration and wisdom he has shared with so many of us. We cherish our friendship with Lloyd and Mary Jane. May God bless both of them.

Mr. KYL. Mr. President, Rev. Lloyd Ogilvie came to the Senate when I did in 1995. He and I became good friends. Lloyd has meant more to me than I can express. He has been a friend and spiritual advisor to my colleagues and many, many staff members and employees of the Senate. Democrats and Republicans, men and women of many different religious faiths, could always call on him.

He has been a focal point of the Senate family. On September 11, and every day since, his ability to share the power of his faith in God has been all the more invaluable to me and to others. He is eloquent and learned. He's done a wonderful job, opening every session with prayer, leading Bible study, helping us to understand Scripture and ourselves.

For the good of this institution he has worked with us to realize, in the words of John Witherspoon, ''the dominion of Providence over the passions of men.'' Obviously that is pretty important here in the Senate, where we are frequently at loggerheads. Reverend Ogilvie, by lifting our sights to the world of the spirit, has been a soothing presence.

We did not want to lose him; but we know it was necessary to be with his wife Mary Jane in California. We understand; and, since he is going to continue his prolific speaking, teaching, and writing, we also know we won't lose touch with him.

The entire Senate family is better for the service of this influential servant of God. Lloyd and Mary Jane, Godspeed.

Mrs. DOLE. Mr. President, I rise tonight to express by great admiration and appreciation for Dr. Lloyd Ogilvie, a man who has served the Senate, and our country, with great dignity and honor.

Bob and I have treasured our friendship with Lloyd and Mary Jane through many years. I feel blessed to know such a warm, compassionate and caring couple. They share a beautiful partnership and just last year celebrated 50 years of marriage and three wonderful children, Scott, Heather and Andrew.

Mary Jane has long been admired for setting such a strong example of what it means to give of yourself. After battling breast cancer 20 years ago, she has done so much to help other women going through the pain—physical, emotional and spiritual—of cancer and cancer treatment. My thoughts and prayers are continually with Mary Jane and her family now, at this very difficult time in her life and theirs.

Lloyd Ogilvie is an extraordinary man of God. He has served amongst us with such a gentle and humble spirit, that sometimes it has been easy to forget what a world-renown spiritual guide and Biblical scholar we have had in our midst. As a profound preacher, as well as an author and editor of over 40 books, Lloyd Ogilvie is admired the world over for his depth of insight into eternal truths and for his ability to communicate those truths in a God-horning and loving spirit. It has been our special blessing to have had this wise, dear man of God as our personal friend and advisor, standing with us here in the Senate Chamber or meeting with us just down the hall.

The first in his family to attend college, Lloyd Ogilvie's plan was to study drama, hoping to go to Hollywood. He answered a call to preach instead, but still ended up in Hollywood—pastoring the First Presbyterian Church.

After 23 years at First Presbyterian, Dr. Ogilvie answered another call—and became the 61st Chaplain of the Senate. Recommended by a bipartisan committee, he was nominated by then-Majority Leader Bob Dole and he began his duties March 13, 1995. He bridged Dole to Dole—and during his time in the Senate he has also bridged many differences, counseling and caring for both sides of the aisle.

With that deep, booming voice of his, which we have come to so easily recognize and love, Lloyd has opened our days in prayer. Day after day, he has steadied our hearths and pointed our thoughts Heavenward. And I believe, as a result, he has helped us to render service to our Nation and to our God with a deeper sense of perspective and stewardship.

From this first days as Chaplain, Dr. Ogilvie reached out in so many ways—one of which impacted my life—a weekly Bible study for Senate spouses. And one of the things I will miss most is the Senators' Bible Study he has led every Thursday at noon during my first 10 weeks in the U.S. Senate.

Lloyd has seen all of us here in the Senate family as his parish. He will be deeply missed by the hundreds of Senate staffers, cafeteria workers, police officers, and service department personnel whom he has inspired to deeper faith and commitment.

Lloyd's love of Christ, and his love of others in Christ's name, have been evident through his life, and his ministry amongst us, each and every day. There is a remarkable, caring spirit about Lloyd Ogilvie, a special attentiveness in his demeanor. Lloyd has a wonderful capacity for kindness and compassion. He has been a valued teacher and counselor to so many. He has been there at our side, when we or our family members have faced turmoil. And he has ministered among us when our Nation has faced special challenges.

Each one of us is constantly in need of God's grace and guidance not only to make the big decisions, but also to perform life's routine duties with the love for others, the peace, the joy inherent in God's call. Lloyd Ogilvie has helped bring that grace and guidance to the Senate. His gift, and his passion, is helping others not only to understand God's will, but to resolve to live within God's will each and every day.

Although Lloyd Ogilvie is leaving the Senate, I am comforted in knowing that he will still be praying for the people of the Senate. Through his continued friendship, and his writings, he

will be a treasured resource for spiritual guidance.

As former chaplains of distinction Peter Marshall and Richard Halverson continue to impact this historic Chamber, so, too, will Lloyd John Ogilvie.

LOCAL LAW ENFORCEMENT ACT OF 2001

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

I would like to describe a terrible crime that occurred on September 14, 2001 in Tulsa, OK. A food store employee of Middle-Eastern descent was attacked while leaving his apartment. Three people jumped on him, knocked him down, covered his eyes, and beat him. After addressing him with an expletive, the men threatened, ''We are going to cut you like you cut our people.'' Before his eyes were covered, he saw that one of the attackers had a knife-like object. The victim was hospitalized and treated for multiple lacerations.

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

Mr. INHOFE. Mr. President, March 23 marks the 20th anniversary of President Reagan's historic address to the Nation in which he launched the program known as the Strategic Defense Initiative, SDI, designed to help protect America and our allies from ballistic missile attack.

I would like to commemorate this occasion by placing a copy of President Reagan's remarks into the RECORD at this time.

With each passing year, we see more clearly the wisdom of President Reagan's vision. The spread of technology relating to ballistic missiles and weapons of mass destruction has grown enormously in 20 years. Since September 11, 2001—and now as we are engaged in military operations to disarm IRAQ—more people have become aware of the growing threats we face from missile attack.

When President Reagan spoke in 1983, he said it might take ''decades'' before reliable missile defense was a reality. And he was right. As he well knew, it was not only the technical and engineering hurdles that stood in the way, but also the formidable political obstacles.

During the Clinton years, the outdated ABM Treaty was enshrined as the ''cornerstone of strategic stability,'' SDI was essentially scrapped, and, in 1996, the Congress's determination to build a missile defense system by 2003 was vetoed.

But George W. Bush dramatically changed the political climate and has taken a different course—a course in keeping with President Reagan's commitment. In 2001, he wisely announced U.S. withdrawal from the ABM Treaty, and in 2002, he announced that we would move to deploy the first elements, sea-based and land based for a real missile defense system capable of protecting U.S. cities from long-range missile attacks.

I applaud President Bush for his steadfast commitment to America's national security and to fulfilling President Reagan's vision. The bold actions he is taking are moving us forward to the actual deployment of a missile defense capability that will serve our country for many years to come.

I ask unanimous consent to have President Reagan's speech printed in the RECORD.

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

ADDRESS TO THE NATION ON NATIONAL SECURITY BY PRESIDENT RONALD REAGAN—MARCH 23, 1983

The calls for cutting back the defense budget come in nice, simple arithmetic. They're the same kind of talk that led the democracies to neglect their defenses in the 1930's and invited the tragedy of World War II. We must not let that grim chapter of history repeat itself through apathy or neglect.

This is why I'm speaking to you tonight—to urge you to tell your Senators and Congressmen that you know we must continue to restore our military strength. If we stop in midstream, we will send a signal of decline, of lessened will, to friends and adversaries alike. Free people must voluntarily, through open debate and democratic means, meet the challenge that totalitarians pose by compulsion. It's up to us, in our time, to choose and choose wisely between the hard but necessary task of preserving peace and freedom and the temptation to ignore our duty and blindly hope for the best while the enemies of freedom grow stronger day by day.

The solution is well within our grasp. But to reach it, there is simply no alternative but to continue this year, in this budget, to provide the resources we need to preserve the peace and guarantee our freedom.

Now, thus far tonight I've shared with you my thoughts on the problems of national security we must face together. My predecessors in the Oval Office have appeared before you on other occasions to describe the threat posed by Soviet power and have proposed steps to address that threat. But since the advent of nuclear weapons, those steps have been increasingly directed toward deterrence of aggression through the promise of retaliation.

This approach to stability through offensive threat has worked. We and our allies have succeeded in preventing nuclear war for more than three decades. In recent months, however, my advisers, including in particular the Joint Chiefs of Staff, have underscored the necessity to break out of a future that relies solely on offensive retaliation for our security.

Over the course of these discussions, I've become more and more deeply convinced that the human spirit must be capable of rising above dealing with other nations and human beings by threatening their existence. Feeling this way, I believe we must thoroughly examine every opportunity for reducing tensions and for introducing greater stability into the strategic calculus on both sides.

One of the most important contributions we can make is, of course, to lower the level of all arms, and particularly nuclear arms. We're engaged right now in several negotiations with the Soviet Union to bring about a mutual reduction of weapons. I will report to you a week from tomorrow my thoughts on that score. But let me just say, I'm totally committed to this course.

If the Soviet Union will join with us in our effort to achieve major arms reduction, we will have succeeded in stabilizing the nuclear balance. Nevertheless, it will still be necessary to rely on the specter of retaliation, on mutual threat. And that's a sad commentary on the human condition. Wouldn't it be better to save lives than to avenge them? Are we not capable of demonstrating our peaceful intentions by applying all our abilities and our ingenuity to achieving a truly lasting stability? I think we are. Indeed, we must.

After careful consultation with my advisers, including the Joint Chiefs of Staff, I believe there is a way. Let me share with you a vision of the future which offers hope. It is that we embark on a program to counter the awesome Soviet missile threat with measures that are defensive. Let us turn to the very strengths in technology that spawned our great industrial base and that have given us the quality of life we enjoy today.

What if free people could live secure in the knowledge that their security did not rest upon the threat of instant U.S. retaliation to deter a Soviet attack, that we could intercept and destroy strategic ballistic missiles before they reached our own soil or that of our allies?

I know this is a formidable, technical task, one that may not be accomplished before the end of this century. Yet, current technology has attained a level of sophistication where it's reasonable for us to begin this effort. It will take years, probably decades of effort on many fronts. There will be failures and setbacks, just as there will be successes and breakthroughs. And as we proceed, we must remain constant in preserving the nuclear deterrent and maintaining a solid capability for flexible response. But isn't it worth every investment necessary to free the world from the threat of nuclear war? We know it is.

In the meantime, we will continue to pursue real reductions in nuclear arms, negotiating from a position of strength that can be ensured only by modernizing our strategic forces. At the same time, we must take steps to reduce the risk of a conventional military conflict escalating to nuclear war by improving our nonnuclear capabilities.

America does possess—now—the technologies to attain very significant improvements in the effectiveness of our conventional, nonnuclear forces. Proceeding boldly with these new technologies, we can significantly reduce any incentive that the Soviet Union may have to threaten attack against the United States or its allies.

As we pursue our goal of defensive technologies, we recognize that our allies rely upon our strategic offensive power to deter attacks against them. Their vital interests and ours are inextricably linked. Their safety and ours are one. And on change in technology can or will alter that reality. We must and shall continue to honor our commitments.

I clearly recognize that defensive systems have limitations and raise certain problems

and ambiguities. If paired with offensive systems, they can be viewed as fostering an aggressive policy, and no one wants that. But with these considerations firmly in mind, I call upon the scientific community in our country, those who gave us nuclear weapons, to turn their great talents now to the cause of mankind and world peace, to give us the means of rendering these nuclear weapons impotent and obsolete.

Tonight, consistent with our obligations of the ABM treaty and recognizing the need for closer consultation with our allies, I'm taking an important first step. I am directing a comprehensive and intensive effort to define a long-term research and development program to begin to achieve our ultimate goal of eliminating the threat posed by strategic nuclear missiles. This could pave the way for arms control measures to eliminate the weapons themselves. We seek neither military superiority nor political advantage. Our only purpose—one all people share—is to search for ways to reduce the danger of nuclear war.

My fellow Americans, tonight we're launching an effort which holds the promise of changing the course of human history. There will be risks, and results take time. But I believe we can do it. As we cross this threshold, I ask for your prayers and your support.

Thank you, good night, and God bless you.

CHINA AIRLINES PURCHASE FROM BOEING

Ms. CANTRELL. Mr. President, I come to the floor today to commemorate the purchase of 10 Boeing 747–400's acquired by China Airlines.

The relationship between Boeing and Taiwan's China Airlines has been extensive. Over the last 7 years, China Airlines has purchased a total of 97 American-made aircraft from Boeing. The acquisition of these 10 planes, which value $2 billion, brings the total amount of the airline's Boeing-purchased aircraft to $13 billion.

Sales between Boeing and China Airlines have contributed to increased trade between the United States and Taiwan over the last decade. In these past years, bilateral trade has grown each year by an average of 4.1 percent. Because of this thriving market, the United States has become Taiwan's largest export market. In 2000, the United States accounted for 20 percent of Taiwan's trade worldwide.

In addition, the aircraft have allowed increased domestic flights between Taiwan and the United States. Every week there are over 270 flights—179 passenger and 89 cargo—between our two countries.

I am very pleased to see that Taiwan has become one of our more beneficial trading partners in the world today, and I hope that this market continues to thrive for years to come.

A MICHIGAN MOM

Mr. LEVIN. I want to bring to the attention of my colleagues Ms. Shikha Hamilton, a board member of the Million Mom March from my home State of Michigan. Ms. Hamilton visited my office last month with her fellow board members to report on their successes and to urge us to pass sensible gun safety legislation to stem the tide of gun violence that plagues many of our communities.

Ms. Hamilton currently serves as the president of the MMM Chapter in Detroit. A rash of gun violence in Detroit over the last year has claimed the lives of 26 children; these incidents highlight the challenge gun violence poses for communities in protecting families. Ms. Hamilton is one person who has stepped up and met that challenge. She has helped form a coalition with other Detroit violence prevention groups, organized a huge march on Belle Isle, and helped create public service announcements to air on local radio stations. Ms. Hamilton is a leader in her community and I commend her for her work.

As Detroit chapter president, Ms. Hamilton testified in support of a local ordinance prohibiting weapons in public buildings. It unanimously passed the Detroit City Council on November 13, 2002. Her chapter also persuaded the Detroit Free Press and Detroit News to close the ''newspaper loophole.'' The newspapers agreed to stop the placement of gun sales in the classified ads, one way criminals had been gaining access to guns without background checks. In addition to all of this, Ms. Hamilton is a full-time attorney, wife and the mother of a 4-year-old daughter.

In the meeting with my staff, Ms. Hamilton and her MMM colleagues mentioned several pieces of gun safety legislation that are critical if we are to reduce gun violence. Among the most important is legislation closing the gun show loophole. In 1994, Congress passed the Brady Law, which requires federal firearm licensees to perform criminal background checks on gun buyers. However, a loophole in this law allows unlicensed private gun sellers to sell firearms at gun shows without conducting a background check.

The Gun Show Background Check Act would close this loophole in the law by extending the Brady law background check requirement to all sellers of firearms including those at gun shows. I cosponsored this bill because I believe it is critical that we do all we can to prevent guns from getting into the hands of criminals and terrorists. Study after study has demonstrated that the Brady law has been successful in making it more difficult for criminals to gain access to firearms, and by closing the gun show loophole, Congress would again demonstrate its commitment to public safety. I urge my colleagues to support this bill.

Ms. Hamilton is doing her best to reduce gun violence in her community. We should do our best to pass sensible laws to make her job easier.

COMMENDING U.S. ARMED FORCES

Mr. GRASSLEY. Mr. President, last night the President addressed the Nation to announce that coalition forces were in the early stages of military operations to disarm Iraq, to free its people, and to defend the world from grave danger.

This action was taken as a last resort against an evil dictator, Saddam Hussein, who for 12 years has continued to defy and evade his commitments and responsibilities set out for him by 17 United Nations Security Council resolutions.

I believe Saddam Hussein must be disarmed, and for this reason I supported the resolution authorizing the President to take military action if diplomatic efforts were unsuccessful.

And, while some Members of this body did not support the authorization for the use of force back in October, I am confident that we here, Republicans and Democrats, stand united in our support for our uniformed personnel now in harm's way.

During the past few weeks and months, I have seen and heard communities all across my State send off, with tearful eyes, their sons and daughters, husbands and wives, and moms and dads who have been called to serve.

These brave men and women, from Decorah to Muscatine, Red Oak, to Mason City, Pocahontas to Davenport, stood proud while high school bands played the ''Star Spangled Banner,'' and local religious leaders prayed for their safe return.

Over 3,700 Reserve and National Guard troops in Iowa have been called up for active duty. They come from all professions and all economic backgrounds.

I commend them, and all those serving in the U.S. Armed Forces, for their courage, bravery and patriotism. I am grateful for the enormous sacrifice made by these men and women and their families. I could not be more honored by their commitment to freedom, and I will continue to pray for their quick and safe return home to their loved ones.

ADDITIONAL STATEMENTS

HONORING DR. JAMES R. GAVIN III, M.D., Ph.D.

• Mr. CHAMBLISS. Mr. President, I rise today to honor and congratulate a distinguished member of the medical community in Georgia. Dr. James R. Gavin III, M.D., Ph.D. has accepted the offer to serve as president of the Morehouse School of Medicine in Atlanta.

Dr. Gavin's experience and expertise in the medical field is exemplary and offers a high standard of excellence for the student of Morehouse School of Medicine to model.

In 1966, Dr. Gavin graduated from Livingstone College in Salisbury, NC with a degree in chemistry. He earned his Ph.D. in biochemistry from Emory University in 1970 and his M.D. degree from Duke University School of Medicine in 1975.

On July 1, 2002, Dr. Gavin began work as President of Morehouse School of Medicine in Atlanta, GA. Prior to his presidency, Dr. Gavin was the senior scientific officer at the Howard Hughes Medical Institute (HHMI) and director of the HHMI—National Institutes of Health and Research Scholars Program.

Prior to joining the senior staff of HHMI, he was on faculty at the University of Oklahoma Health Sciences Center as a professor and as chief of the Diabetes Section, acting chief of the Section on Endocrinology, Metabolism and Hypertension, and William K. Warren Professor for Diabetes Studies. He previously served as associate professor of Medicine at Washington University School of Medicine in St. Louis. He was a lieutenant commander in the U.S. Public Health Services from 1971–73 and continues to serve in that capacity as a reserve officer.

Among the many honors Dr. Gavin has received are the Daniel Hale Williams Award, the E.E. Just Award, the Herbert Nickens Award, the Daniel Savage Memorial Award, the Emory University Medal for Distinguished Achievement, the Banting Medal for Distinguished Service from the American Diabetes Association, the Distinguished Alumni Award from the Duke University School of Medicine, and the Internist of the Year from the National Medical Association.

A committed husband and father, Dr. Gavin and his wife, Annie, have been married for 30 years and are blessed with two sons, Hakkim and Lamar.

I am pleased to have someone of Dr. Gavin's caliber leading the students, faculty and staff of Morehouse School of Medicine. I extend my heartfelt congratulations to Dr. Gavin and his family on his new position and wish him God's blessings in this exciting opportunity.●

HONORING WESTERN KENTUCKY UNIVERSITY MEN'S BASKETBALL TEAM

● Mr. BUNNING. Mr. President, today I rise to honor the Western Kentucky University men's basketball team for their success on the court this season.

The Hilltoppers, led by Coach Dennis Felton, overcame injuries and illness, to finish the season at 24–8 and earn a trip to the NCAA tournament. They are a deep, veteran team with plenty of skills and NCAA experience. The Hilltoppers also had a great scoring balance, with five players averaging at least 9.8 points a game.

The Hilltoppers earned an automatic bid to the NCAA tournament with a 64–52 victory over Middle Tennessee in the Sun Belt Conference tournament championship. This makes Coach Felton the first coach in WKU's history to lead the Hilltoppers to three consecutive Sun Belt and NCAA tournament appearances. Unfortunately, the Hilltoppers were unable to carry on their winning momentum against the University of Illinois, losing to the Fighting Illini in a valiant effort the first round of the NCAA tournament.

Overall, the Western Kentucky University Hilltoppers had a very successful and productive season. They overcame numerous hurdles to win the Sun Belt Conference Tournament championship and earn their 19th invitation to the NCAA tournament. They worked as a team all year to prove their dedication and skill and showed that they have the hearts of champions. I applaud Coach Felton and his players for all that they accomplished this season and I wish them further victories.●

SIX MONTH PERIODIC REPORT ON THE NATIONAL EMERGENCY WITH RESPECT TO PERSONS WHO COMMIT, THREATEN TO COMMIT, OR SUPPORT TERRORISM—PM 29

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith the 6-month periodic report prepared by my Administration on the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001.

GEORGE W. BUSH.

THE WHITE HOUSE, *March 21, 2003.*

MESSAGE FROM THE HOUSE

At 9:30 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 95. Concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2004 and setting forth appropriate budgetary levels for fiscal years 2003 and 2005 through 2013.

H. Con. Res. 104. Concurrent resolution expressing the support and appreciation of the Nation for the President and the members of the Armed Forces who are participating in Operation Iraqi Freedom.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 5. An act to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

H.R. 975. An act to amend title 11 of the United States Code, and for other purposes.

H.R. 1047. An act to amend the harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, and for other purposes.

H.R. 1308. An act to amend the Internal Revenue Code of 1986 to end certain abusive tax practices, to provide tax relief and simplification, and for other purposes.

The following concurrent resolution was read, and placed on the calendar:

H. Con. Res. 95. Concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2004 and setting forth appropriate budgetary levels for fiscal years 2003 and 2005 through 2013.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–1709. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office of Personnel Management's Federal Activities Inventory Reform (FAIR) Act Inventory as of June 30, 2002, received on March 18, 2003; to the Committee on Governmental Affairs.

EC–1710. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Donation of Patents (Rev. Rul. 2003–28)'' received on February 10, 2003; to the Committee on Finance.

EC–1711. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Annual Compilation of Federal Disaster Areas (Rev. Rul. 2003–29)'' received on February 28, 2003; to the Committee on Finance.

EC–1712. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''January-March 2003 Bond Factor Amounts; Correction (Rev. Rul. 2003–22)'' received on February 28, 2003; to the Committee on Finance.

EC–1713. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Raisins Produced from Grapes Grown in California; Temporary Suspension of a Provision, and Extension of Certain Deadlines Under Raisin Diversion Program (Doc. No. FV03–989–2 FIR)'' received on March 20, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1714. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Raisins Produced from Grapes Grown in California; Reduction in Production Cap for 2003 Diversion Program (Doc. No. FV03–989–3 IFR)'' received on March 20, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1715. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Hazelnuts Grown in Oregon and Washington; Establishment of Final Free and Restricted

Percentages for the 2002–2003 Marketing Year (Doc. No. FV03–982–1 FIR)'' received on March 20, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1716. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Onions Groan in South Texas; Revision of Rules and Regulations (Doc. No. FV03–959–2FIR)'' received on March 20, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1717. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Walnuts Grown in California; Decreased Assessment Rate (Doc. No. FV02–984–1FIR)'' received on March 20, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1718. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Limes Grown in Florida and Imported Limes; Termination of Marketing Order and Implementation Rules and Regulations (Doc. No. FV03–911–1FR)'' received on March 20, 2003; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1719. A communication from the General Counsel, Department of Commerce, transmitting, pursuant to law, the report of a draft bill to amend to Communications Act of 1934, received on March 19, 2003; to the Committee on Commerce, Science, and Transportation.

EC–1720. A communication from the Director, office of Surface Mining, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Kansas Regulatory Program and Abandoned Mine Land Reclamation Plan (KS–023–FOR)'' received on March 20, 2003; to the Committee on Energy and Natural Resources.

EC–1721. A communication from the Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Final rule to Reclassify and Remove the Gray Wolf from the List of Endangered and Threatened Wildlife in Portions of the Conterminous United States; Establishment of Two Special Regulations for Threatened Gray Wolves (1018–AF20)'' received on March 20, 2003; to the Committee on Environment and Public Works.

EC–1722. A communication from the Director, National Center on Minority Health and Health Disparities, Public Health Service, Department of Health and Human Services, transmitting, pursuant to law, the National Institutes of Health (NIH) Strategic Research Plan and Budget to Reduce and Ultimately Eliminate Health Disparities; to the Committee on Health, Education, Labor, and Pensions.

EC–1723. A communication from the Director, National Center on Minority Health and Health Disparities, Public Health Service, Department of Health and Human Services, transmitting, pursuant to law, the 2001 Annual Report on Health Disparities Research of the National Institutes of Health (NIH); to the Committee on Health, Education, Labor, and Pensions.

EC–1724. A communication from the President of the United States to the President Pro Tempore of the United States Senate, transmitting, consistent with Public Law 107–40 and the War Powers Resolution, the report on the use of military force in the global war on terrorism; to the Committee on Foreign Relations.

EC–1725. A communication from the President of the United States to the President Pro Tempore of the United States Senate, transmitting, consistent with Public Laws 93–148, 102–1, and 107–243, the determination to commence combat operations against Iraq on March 19, 2003; to the Committee on Foreign Relations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. 681. A bill to provide for the enhanced protection of electricity consumers under the Federal Power Act; to the Committee on Energy and Natural Resources.

By Mr. DOMENICI (for himself, Ms. CANTWELL, Mrs. MURRAY, and Mr. BINGAMAN):

S. 682. A bill to authorize funding for Genomes to Life Research and Development at the Department of Energy for fiscal years 2004 through 2008; to the Committee on Energy and Natural Resources.

By Mr. FEINGOLD:

S. 683. A bill to amend the Family and Medical Leave Act of 1993 to provide entitlement to leave to eligible employees whose spouse, son, daughter, or parent is a member of the Armed Forces serving on active duty in support of a contingency operation or notified of an impending call or order to active duty in support of a contingency operation; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SMITH (for himself, Mr. WYDEN, Mr. ALLARD, Mr. BAYH, Mr. BOND, Mr. BROWNBACK, Mr. MILLER, Mr. NICKLES, Mr. SANTORUM, Mr. CORNYN, and Mr. SPECTER):

S. 684. A bill to create an office within the Department of Justice to undertake certain specific steps to ensure that all American citizens harmed by terrorism overseas receive equal treatment by the United States Government regardless of the terrorists' country of origin or residence, and to ensure that all terrorists involved in such attacks are pursued, prosecuted, and punished with equal vigor, regardless of the terrorists' country of origin or residence; to the Committee on the Judiciary.

By Mr. BINGAMAN (for himself and Mr. AKAKA):

S. 685. A bill to assist low income taxpayers in preparing and filing their tax returns and to protect taxpayers from unscrupulous refund anticipation loan providers, and for other purposes; to the Committee on Finance.

By Mr. DEWINE (for himself, Mrs. MURRAY, Ms. LANDRIEU, Mr. BREAUX, Mr. BINGAMAN, and Mr. INOUYE):

S. 686. A bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER:

S. 687. A bill to amend title 10, United States Code, to prohibit the concurrent deployment to combat zones of both military spouses of military families with minor children, and for other purposes; to the Committee on Armed Services.

By Mr. GRAHAM of Florida:

S. 688. A bill to provide that no electric utility shall be required to enter into a new contract or obligation to purchase or to sell electricity or capacity under section 210 of the Public Utility Regulatory Policies Act of 1978; to the Committee on Energy and Natural Resources.

By Mr. VOINOVICH (for himself and Mr. FEINGOLD):

S. 689. A bill to balance the budget and protect the Social Security Trust Fund surpluses; 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.

By Mr. WYDEN:

S. 690. A bill to prevent publicly traded corporations from issuing stock options to top management in a manner that is detrimental to the long-term interests of shareholders; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HAGEL:

S. 691. A bill to authorize the Secretary of Agriculture to enter into cooperative agreements and contracts with the Nebraska State Forester to carry out watershed restoration and protection activities on National Forest System land in the State of Nebraska; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 59

At the request of Mr. INOUYE, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 59, a bill to amend title 10, United States Code, to permit former members of the Armed Forces who have a service-connected disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces are entitled to travel on such aircraft.

S. 60

At the request of Mr. INOUYE, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 60, a bill to amend title 10, United States Code, to authorize certain disabled former prisoners of war to use Department of Defense commissary and exchange stores.

S. 240

At the request of Mr. FITZGERALD, the names of the Senator from Minnesota (Mr. DAYTON) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors of S. 240, a bill to amend the Internal Revenue Code of 1986 to allow allocation of small ethanol producer credit to patrons of cooperative, and for other purposes.

S. 243

At the request of Mr. ALLEN, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 243, a bill concerning participation of Taiwan in the World Health Organization.

S. 271

At the request of Mr. SMITH, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 271, a bill to amend the Internal Revenue Code of 1986 to allow an additional advance refunding of bonds originally issued to finance governmental facilities used for essential governmental functions.

S. 300

At the request of Mr. KERRY, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. 300, a bill to award a congressional gold medal to Jackie Robinson (posthumously), in recognition of his many contributions to the Nation, and to express the sense of Congress that there should be a national day in recognition of Jackie Robinson.

S. 358

At the request of Mrs. LINCOLN, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 358, a bill to amend the Internal Revenue Code of 1986 to modify the credit for the production of fuel from nonconventional sources for the production of electricity to include landfill gas.

S. 359

At the request of Mrs. LINCOLN, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 359, a bill to amend the Internal Revenue Code of 1986 to modify the credit for the production of electricity to include electricity produced from municipal solid waste.

S. 360

At the request of Mrs. LINCOLN, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 360, a bill to amend the Internal Revenue Code of 1986 to treat natural gas distribution lines as 10-year property for depreciation purposes.

S. 381

At the request of Ms. LANDRIEU, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 381, a bill to provide the Secretary of Housing and Urban Development the authority to establish programs that serve intergenerational families, and for other purposes.

S. 459

At the request of Mr. LEAHY, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 459, a bill to ensure that a public safety officer who suffers a fatal heart attack or stroke while on duty shall be presumed to have died in the line of duty for purposes of public safety officer survivor benefits.

S. 504

At the request of Mr. ALEXANDER, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 504, a bill to establish academics for teachers and students of American history and civics and a national alliance of teachers of American history and civics, and for other purposes.

S. 623

At the request of Mr. WARNER, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 623, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 647

At the request of Mr. KENNEDY, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 647, a bill to amend title 10, United States Code, to provide for Department of Defense funding of continuation of health benefits plan coverage for certain Reserves called or ordered to active duty and their dependents, and for other purposes.

S. 652

At the request of Mr. CHAFEE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 652, a bill to amend title XIX of the Social Security Act to extend modifications to DSH allotments provided under the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000.

S. CON. RES. 25

At the request of Mr. VOINOVICH, the names of the Senator from Pennsylvania (Mr. SANTORUM) and the Senator from Missouri (Mr. TALENT) were added as cosponsors of S. Con. Res. 25, a concurrent resolution recognizing and honoring America's Jewish community on the occasion of its 350th anniversary, supporting the designation of an ''American Jewish History Month'', and for other purposes.

S. RES. 58

At the request of Mr. ALLEN, the names of the Senator from South Dakota (Mr. DASCHLE) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. Res. 58, a resolution expressing the sense of the Senate that the President should designate the week beginning June 1, 2003, as ''National Citizen Soldier Week''.

AMENDMENT NO. 269

At the request of Mr. FEINGOLD, the names of the Senator from Arizona (Mr. MCCAIN) and the Senator from South Carolina (Mr. HOLLINGS) were added as cosponsors of amendment No. 269 intended to be proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 270

At the request of Mr. FEINGOLD, the names of the Senator from South Carolina (Mr. HOLLINGS) and the Senator from Florida (Mr. GRAHAM) were added as cosponsors of amendment No. 270 proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 270

At the request of Mr. SCHUMER, his name was added as a cosponsor of amendment No. 270 proposed to S. Con. Res. 23, supra.

AMENDMENT NO. 278

At the request of Mr. BIDEN, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Florida (Mr. GRAHAM) were added as cosponsors of amendment No. 278 proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 282

At the request of Mr. BROWNBACK, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of amendment No. 282 proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 295

At the request of Mr. DORGAN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of amendment No. 295 intended to be proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 296

At the request of Mr. ROCKEFELLER, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of amendment No. 296 proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 303

At the request of Mrs. CLINTON, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Delaware (Mr. BIDEN), the Senator from Maryland (Ms. MIKULSKI), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from New York (Mr. SCHUMER), the Senator from New Jersey (Mr. CORZINE), the Senator from Minnesota (Mr. DAYTON), the Senator from Florida (Mr. NELSON) and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of amendment No. 303 intended to be proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 306

At the request of Mrs. CLINTON, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Delaware (Mr. BIDEN), the Senator from Maryland (Ms. MIKULSKI), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from New York (Mr. SCHUMER),

the Senator from New Jersey (Mr. CORZINE), the Senator from Minnesota (Mr. DAYTON), the Senator from Florida (Mr. NELSON) and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of amendment No. 306 intended to be proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 310

At the request of Mr. REED, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of amendment No. 310 intended to be proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 311

At the request of Mr. KENNEDY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 311 proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 315

At the request of Mr. KENNEDY, the names of the Senator from New Mexico (Mr. BINGAMAN), the Senator from Michigan (Mr. LEVIN), the Senator from South Dakota (Mr. DASCHLE), the Senator from New Jersey (Mr. CORZINE) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of amendment No. 315 intended to be proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 317

At the request of Mr. SARBANES, his name was added as a cosponsor of amendment No. 317 proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 323

At the request of Mr. BINGAMAN, his name was added as a cosponsor of amendment No. 323 intended to be proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 324

At the request of Mrs. LINCOLN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of amendment No. 324 intended to be proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 324

At the request of Ms. MIKULSKI, her name was added as a cosponsor of amendment No. 324 intended to be proposed to S. Con. Res. 23, supra.

AMENDMENT NO. 328

At the request of Mr. WYDEN, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of amendment No. 328 proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 341

At the request of Mr. REID, the names of the Senator from Florida (Mr. NELSON), the Senator from Washington (Ms. CANTWELL) and the Senator from South Dakota (Mr. DASCHLE) were added as cosponsors of amendment No. 341 intended to be proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 343

At the request of Ms. MIKULSKI, her name was added as a cosponsor of amendment No. 343 proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 343

At the request of Mr. GRAHAM of Florida, his name was added as a cosponsor of amendment No. 343 proposed to S. Con. Res. 23, supra.

AMENDMENT NO. 343

At the request of Mr. GRAHAM of South Carolina, his name was added as a cosponsor of amendment No. 343 proposed to S. Con. Res. 23, supra.

AMENDMENT NO. 343

At the request of Mr. BYRD, his name was added as a cosponsor of amendment No. 343 proposed to S. Con. Res. 23, supra.

AMENDMENT NO. 343

At the request of Mr. LIEBERMAN, his name was added as a cosponsor of amendment No. 343 proposed to S. Con. Res. 23, supra.

AMENDMENT NO. 343

At the request of Mr. CORZINE, his name was added as a cosponsor of amendment No. 343 proposed to S. Con. Res. 23, supra.

AMENDMENT NO. 349

At the request of Ms. MIKULSKI, the names of the Senator from New Jersey (Mr. CORZINE) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of amendment No. 349 proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 358

At the request of Mr. DURBIN, his name was added as a cosponsor of amendment No. 358 proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 358

At the request of Ms. MIKULSKI, her name was added as a cosponsor of amendment No. 358 proposed to S. Con. Res. 23, supra.

AMENDMENT NO. 358

At the request of Mr. BINGAMAN, his name was added as a cosponsor of amendment No. 358 proposed to S. Con. Res. 23, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. 681. A bill to provide for the enhanced protection of electricity consumers under the Federal Power Act; to the Committee on Energy and Natural Resources.

Ms. CANTWELL. Mr. President, I rise today to introduce the Electricity Market Manipulation Prevention Act—legislation I believe is critical in ensuring our Nation's consumers will never again have to suffer from the type of energy price manipulation that has so devastated the economy of my home State of Washington. This bill is simple yet powerful in concept. In essence, it requires the Federal Energy Regulatory Commission to do its job—protect consumers from energy price manipulation.

This bill says that where FERC gives companies the authority to charge market-based wholesale electricity rates, the Commission must also actively ensure that effective competition—the only kind of competition that benefits consumers and businesses—actually exists. It says that if FERC finds that an entity has attempted to manipulate power markets, the Commission will revoke or modify the company's ability to sell power at market-based rates, and the company will be on the hook to pay back revenues in excess of the average regional cost of generating the power. And lastly, it says that FERC will not be allowed to change the legal standard for

reviewing whether consumers deserve relief from market manipulation.

I first want to make a very important point about this legislation. In large part, it does not expand FERC's existing authority under the Federal Power Act. It simply articulates more explicitly how Congress intends for FERC to exercise its existing authority.

Now why is this an important point? As many of my colleagues may know, FERC—under sections 205 and 206 of the Federal Power Act—is already given the responsibility of ensuring just and reasonable wholesale electricity rates, and fixing those rates when market activity has gone awry. So why do we need clarification? Because despite overwhelming and undisputed evidence that any number of energy companies—Enron and its ilk—engaged in activities designed to manipulate power markets in the west, FERC has to date failed to take action on behalf of consumers.

While prices started skyrocketing out of control during the summer of 2000, it took the Commission nearly a year to step in and reign in those prices throughout the west. The provisions of this legislation that require FERC to perform annual reviews of how well markets are functioning would help ensure the Commission's active oversight, and prevent the type of price gouging from which consumers and businesses in my sate continue to suffer.

While the Commission did finally step in to cap prices—under intense congressional pressure, I might add—it has, almost 2 years later, failed to decisively act on the billions of dollars' worth of refund and long-term contract complaints resulting from the crisis. What's more, the Commission's Administrative Law Judges have taken every opportunity to throw additional hurdles in the path of the Northwest consumers, who have suffered more than any as a result of California's ill-fated restructuring scheme. That's why this legislation specifically articulates what legal standard should apply to the Commission's review of complaints for relief.

Even in the face of admitted market manipulation—in the most brazen of cases, where Enron has described its own schemes to drive up prices and Reliant's transcripts quote company traders explicitly voicing their plans to drive up prices throughout the west by withholding power—FERC has, more than two years later, failed to use all the tools at its disposal to send a message that such activities will not be tolerated, levying fines that are clearly inadequate compared to the economic devastation these activities have caused.

This bill makes the remedies for market manipulation far more transparent, doing away with the multiple years of arcane proceedings in which we are currently embroiled. The protracted cases resulting from the western energy crisis have yet to benefit anyone—certainly neither the industry nor consumers—except, perhaps, for energy attorneys.

This legislation tells energy companies that if they are going to attempt to manipulate markets, there will be harsh and immediate consequences. It says that if the commission finds that an entity has attempted to gouge consumers, it will revoke or revise its market-based rate authority, set a just and reasonable rate going forward, and order the refund of revenues collected above the average wholesale generation cost within the relevant regional power market. Concrete, explicit consequences—commensurate with the level of damage caused by marketplace shenanigans—should provide a powerful disincentive for companies tempted to engage in the types of behavior that have crippled the economy of Washington and other western states.

Now, I can already hear the outcry from some—but not all sectors—of the energy industry. They will claim that putting concrete remedies on the books—transparent mechanisms for consumer relief, and tangible penalties for companies that endeavor to gouge consumers—will breed too much uncertainty for participants in energy markets.

To those who would make that argument, I would simply say, it is absolutely absurd to suggest that energy companies can't make money unless they retain their legal rights to rip off the ratepayers of this country. Ensuring that FERC—which is supposed to be, in Chairman Pat Wood's own words, ''the tough cop on the beat''—takes swift and decisive action when energy companies attempt to manipulate markets is an issue of simple fairness and common sense. Afterall, it is our Nation's ratepayers—residential and industrial customers alike—who pay the price for FERC's inaction, and FERC is the only cop on the beat.

I have stood on this floor many times to speak of the economic train wreck created in my state by FERC's inaction in the face of the western energy crisis, which we now know resulted in large part from bad actors who decided to take advantage of a near-historic drought and tragically flawed market rules in California. Today, retail rates in many parts of my State of Washington have risen almost 50 percent, our unemployment is consistently among the top five in the nation, the demand for low-income energy assistance is at record levels, we are struggling to stave off yet another regional rate increase, and there is no end in sight—unless FERC takes long-overdue action.

This bill sends a clear signal to FERC: we expect you to right the wrongs from which consumers throughout the west continue to suffer, and we expect you to use your authority to ensure a repeat of the western energy crisis never occurs. There is no other competitively traded commodity aside from electricity—soy beans, wheat, pork bellies, metals—for which a prolonged price run-up can single-handedly cripple industries as diverse as aluminum smelting, microchip manufacturing, irrigated agriculture, paper production or aerospace. Clearly, the economic stakes are exceptionally high when it comes to electricity, and as such, Congress must demand a greater degree of accountability from both the industry itself and those who regulate it.

With this bill, we make Congress' intent perfectly clear: FERC must protect consumers; there will be swift and decisive action against those who endeavor to manipulate markets; and the deck will not be stacked against the consumers and businesses who are the victim of Enron-like schemes.

By Mr. DOMENICI (for himself, Ms. CANTWELL, Mrs. MURRAY, and Mr. BINGAMAN):

S. 682. A bill to authorize funding for Genomes to Life Research and Development at the Department of Energy for fiscal years 2004 through 2008; to the Committee on Energy and Natural Resources.

Mr. DOMENICI. Mr. President, I rise to introduce the Genomes to Life Research and Development Act. I appreciate the bipartisan sponsors, Senator CANTWELL, Senator MURRAY and Senator BINGAMAN who join me in its introduction.

In the last 2 years, there have been many events celebrating the completion of maps of the human genome. The genome map has been lauded from many quarters, with some referring to it as the ''recipe for life,'' our ''genetic fingerprint,'' or the ''holy grail of biology.'' There can be no question that the work of the DOE, the NIH, and private industry to complete this map has ushered in a new frontier in biological research.

I had the tremendous pleasure and honor of being the first legislator to recognize the importance of human genomics. It was at a March 1986 conference in Sante Fe, NM, led by Charles DeLisi and David Smith, that the first proposal for the DOE Human Genome Initiative was developed. And it was in 1987 that I introduced the legislation that laid the foundation for the Human Genome project. Senator Chiles worked with me in this effort, and both the Labor and Energy Committees had important roles in advancing the project.

The first year of appropriated funding was fiscal year 1988, with $11 million for the DOE and $17 million for the NIH. Since then, in completing the map, over $3 billion has been invested. I firmly believe that history will view that investment as one that truly changed medical and health sciences for all mankind.

I have found it amusing to review some of the arguments against the genome project in those early days. It was labeled as a ''mindless factory project,'' or ''a scheme for unemployed

bombmakers.'' One well known researcher said, ''The Idea is gathering momentum. I shiver at the thought.''

Now there's only praise for the future of this endeavor. I particularly value an autographed copy of the original genome map that was presented to me in February of 2001 by Craig Venter, president of Celera Genomics, with the inscription ''Your vision went beyond the parochial objections of the few and the doubts of the many, we all owe you our thanks.''

But even as we can see today that the benefits to mankind from the genome project will be immense, we also are nowhere near the point of fully utilizing the treasure trove of information in these maps. Today, we do not understand how details of genome sequence influence medical conditions. In short, we have a map, but aren't quite sure exactly how that map corresponds to reality.

With this bill, we authorize a new DOE program, Genomes to Life. Along with companion measures in the NIH, this DOE program will seek to interpret this wonderful new map and really begin to use it. Through these programs, we will begin to understand how our own DNA sequence, as expressed in our own genome map, translates into a collection of interacting proteins that function as our own personal molecular machine.

The intellectual challenges in this new initiative are immense. They require public support for the basic and applied research and development. There must be significant advances in areas like characterization of multiprotein complexes and gene regulatory networks that will be required before biologically based solutions and technologies will be available for applications to DOE missions.

New instruments will be essential in the Genomes to Life research. These may be instruments that haven't been invented yet. Specialized facilities will be required to advance the field and realize its promise. This bill envisions these facilities being built as user facilities, using the model that the Department already successfully uses for many facilities in diverse areas of science.

With the Genomes to Life program, and its companion programs at the NIH, we'll finally be in a position to understand how genomic information can be used to benefit mankind. From the NIH side, we will be far better equipped to understand many diseases. We may have drugs designed for specific genetic profiles, drugs may be screened for adverse interactions, and side effects of drugs may be predicted and avoided.

From the DOE side of the program, we may have biological approaches to hydrogen production or carbon sequestration. We may have new alternatives for detection and mitigation of biological threats. We may have new biological tools to handle complex cleanup issued at DOE sites.

This Bill lays the foundation for this new Genomes to Life program, and I encourage its support.

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. 682

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

SECTION 1. SHORT TITLE.

This Act may be cited as ''The Genomes to Life Research and Development Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The Department of Energy's Genomes to Life initiative involves the emerging fields of systems biology and proteomics, which address the ability to understand the composition and function of the biochemical networks and pathways that carry out the essential processes of living organisms.

(2) The Genomes to Life initiative builds on the Department of Energy's integral role in the Human Genome Project, which has led to the mapping, sequencing and identification of genetic material. Genomes to Life will go beyond mapping to develop an understanding of how genetic components interact to perform cellular activities vital to life.

(3) The ability of the United States to respond to the national security, energy and environmental challenges of the 21st century will be driven by science and technology. An integrated and predictive understanding of biological systems will enable the United States to develop new technologies related to the detection of biological and chemical agents, energy production, carbon sequestration, bioremediation and other Department of Energy statutory missions. These advances will also enhance the strength of U.S. science, technology, and medicine generally.

(4) The fundamental intellectual challenges inherent in the Genomes to Life initiative are considerable, and require public support for basic and applied research and development. Significant advances in areas such as the characterization of multiprotein complexes and gene regulatory networks will be required before biologically-based solutions and technologies will be useful in national security applications, as well as to the energy, medical and agricultural industries.

(5) The development of new scientific instruments will also be required to advance Genomes to Life research. Such instruments are likely to be large and costly. Specialized facilities are also likely to be required in order to advance the field and to realize its promise. Such facilities will be sufficiently expensive that they will have to be located and constructed on a centralized basis, similar to a number of unique facilities already managed by the Department of Energy.

(6) Contributions from individual researchers as well as multidisciplinary research teams will be required to advance systems biology and proteomics.

(7) The Department of Energy's Office of Science is well suited to manage systems biology and proteomics research for the Department. Through its support of research and development pursuant to the Department's statutory authorities, the Office of Science is the principal federal supporter of the research and development in the physical and computational sciences. The Office is also a significant source of federal support for research in genomics and the life sciences. The Office supports research and development by individual investigators and multidisciplinary teams, and manages special user facilities that serve investigators in both university and industry.

SEC. 3. DEPARTMENT OF ENERGY PROGRAM.

(a) ESTABLISHMENT.—The Secretary shall carry out a program of research, development, demonstration, and commercial application, to be known as the Genomes to Life Program, in systems biology and proteomics consistent with the Department's statutory authorities.

(b) PLANNING.—

(1) IN GENERAL.—The Secretary shall prepare a program plan describing how knowledge and capabilities would be developed by the program and applied to Department missions relating to energy, environmental cleanup, and mitigation of global climate change.

(2) CONSULTATION.—The program plan will be developed in consultation with other relevant Department technology programs.

(3) LONG-TERM GOALS.—The program plan shall focus science and technology on long-term goals including:

(A) contributing to U.S. independence from foreign energy sources,

(B) stabilizing atmospheric levels of carbon dioxide to counter global warming,

(C) advancing environmental cleanup, and

(D) providing the science and technology basis for new industries in biotechnology.

(4) SPECIFIC GOALS.—The program plan shall identify appropriate research, development, demonstration, and commercial application activities to address the following issues within the next decade:

(A) identifying new biological sources of fuels and electricity, with particular emphasis on creating biological technologies for the production and utilization of hydrogen;

(B) understanding the Earth's natural carbon cycle and create stategies to stablize atmospheric carbon dioxide;

(C) developing a knowledge and capability base for exploring more cost effective cleanup strategies for Department sites;

(D) capturing key biological processes in engineered systems not requiring living cells.

(c) PROGRAM EXECUTION.—In carrying out the program under this Act, the Secretary shall—

(1) support individual investigators and multidisciplinary teams of investigators;

(2) subject to subsection (d), develop, plan, construct, acquire, or operate special equipment or facilities for the use of investigators conducting research, development, demonstration, or commercial application in systems biology and proteomics;

(3) support technology transfer activities to benefit industry and other uses of systems biology and proteomics; and

(4) coordinate activities by the Department with industry and other federal agencies; and

(5) award funds authorized under this Act only after an impartial review of the scientific and technical merit of the proposals for such awards has been carried out by or for the Department.

(d) GENOMES TO LIFE USER FACILITIES AND ANCILLARY EQUIPMENT.—

(1) AUTHORIZATION.—Within the funds authorized to be appropriated pursuant to this Act, the amounts specified under section 4(b) shall, subject to appropriations, be available for projects to develop, plan, construct, acquire, or operate special equipment, instrumentation, or facilities for invesigators conducting research, development, demonstration, and commercial application in systems biology and proteomics and associated biological disciplines.

(2) PROJECTS.—Projects under paragraph (1) may include—

(A) the indentification and characterization of multiprotein complexes;

(B) characterization of gene regulatory networks; characterization of the functional repertoire of complex microbial communities in their natural environments at the molecular level; and

(C) development of computational methods and capabilities to advance understanding of complex biological systems and predict their behavior.

(3) FACILITIES.—Facilities under paragraph (1) may include facilities for—

(A) the production and characterization of proteins;

(B) whole proteome analysis;

(C) characterization and imaging of molecular machines; and

(D) analysis and modeling of cellular systems.

(4) COLLABORATION.—The Secretary shall encourage collaborations among universities, laboratories and industry at facilities under this subsection. All facilities under this subsection shall have a specific mission of technology transfer to other institutions.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

(a) TOTAL AUTHORIZATION.—The following sums are authorized to be appropriated to the Secretary, to remain available until expended, for the purposes of carrying out this Act:

(1) $100,000,000 for fiscal year 2004;

(2) $170,000,000 for fiscal year 2005;

(3) $325,000,000 for fiscal year 2006;

(4) $415,000,000 for fiscal year 2007; and

(5) $455,000,000 for fiscal year 2008.

(b) USER FACILITIES AND ANCILLARY EQUIPMENT.—Of the funds under subsection (a), the following sums are authorized to be appropriated to carry out section 3(d):

(1) $16,000,000 for fiscal year 2004;

(2) $70,000,000 for fiscal year 2005;

(3) $175,000,000 for fiscal year 2006;

(4) $215,000,000 for fiscal year 2007; and

(5) $420,000,000 for fiscal year 2008.

SEC. 5. DEFINITIONS

For purposes of this Act:

(1) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(2) PROTEOMICS.—The term ''proteomics'' means the determination of the structure, function, and expression of the proteins encoded in any genome, including new protein sequences encoded in a genome for which the structural or functional correlates are not currently known.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Energy, acting through the Biological and Environmental Research Program of the Office of Science of the Department.

Ms. CANTWELL. Mr. President, I rise today to introduce—along with my colleagues Chairman DOMENICI, and Senators BINGAMAN and MURRAY—the Genomes to Life Research and Development Act.

This bill capitalizes on the enormous success of the Human Genome Project, and promises to take this important research to the next level. While the mapping of the human genome is an unparalleled accomplishment on its own, this new initiative will allow researchers to go beyond the science of description, and begin to explore the complex interactions of the elements within cells.

It is those intracellular dynamics that truly hold the key to finding solutions to some of our most difficult scientific problems—from detection of biological and chemical agents and nuclear waste clean-up to figuring out new and more efficient ways to produce hydrogen, so crucial in attaining energy independence for this Nation. Where the Human Genome Project has provided researchers with the range and description of musical notes, Genomes to Life will enable scientists to begin to understand the way these notes are arranged to produce music—the essential process of life.

The Genomes to Life Act sets out an aggressive path for DOE, to make this area a high priority for the Office of Science. Of course, none of this would be possible without the successes of the Human Genome Project, and I want to acknowledge the vision of this legislation's other sponsor, Chairman DOMENICI, in making that a reality. As some of my colleagues may be aware, the senior Senator from New Mexico laid the foundation for the Human Genome Project with legislation he first introduced in 1987.

I am thus extremely pleased to be working with him on this bill, which I believe is the Human Genome Project's logical successor. Our legislation would authorize the Department of Energy to design and establish national research centers to investigate proteomics and genomics. Proteomics refers to the study of proteins, how they are modified, when and where they are expressed, how they are involved in metabolic pathways, and how they interact with each other. Genomics refers to the study of three-dimensional structures of thousands of proteins—all of the proteins produced by a species.

These are exciting research fields that combine the discipline of physics, chemistry, biology, engineering, and advanced computational and mathematical modeling. The Department of Energy's Office of Science has a long history of success in large scale, cross-discipline scientific research and is thus well suited to manage this program. In addition, a significant component of the Human Genome Project has been the transfer of technology to the private sector, which has in turn catalyzed the multi-billion dollar U.S. biotechnology industry and fostered the development of new medical applications.

The Genomes to Life Act that Chairman DOMENICI, Senators BINGAMAN, MURRAY and I are introducing today provides a coordinated and comprehensive plan for the next generation of biotechnology research facilities. The functions and dynamics of all living cells are determined by the complex interactions of the constituent proteins. We do not yet understand these interactions, but the Genomes to Life Act will give us the best tools to investigate these microscopic mysteries. Put in simple terms, teams of American scientists will try to answer the fundamental question, ''How do cells work?'' This bill will ensure that state of the art facilities, leading edge equipment, and the next generation of computers are available to map and model these complex interactions, as we strive to answer this critical question.

The promise of biotechnology research is especially important to my state of Washington—home to many world-class research facilities. Washington has over 190 biotechnology companies employing more than 11,000 people. In 2001, the annual revenue of these companies exceeded $1.2 billion. Nearly one half of these companies were based on technologies developed at research and development institutions and over 40 percent of the companies have been established in the past six years.

This legislation's provisions—ensuring that research with its origins at the Department of Energy provides the science and technology basis for new industries in biotechnology, and that DOE continues to identify appropriate commercial applications—will help this important economic sector continue to grow in Washington state and across the country.

The Genomes to Life Research and Development Act that Sens. DOMENICI, BINGAMAN, MURRAY and I have introduced today will strengthen our national security and our national economy. Additionally, the integrative and predicative understanding of biological systems will improve our ability to respond to the energy and environmental challenges of the 21st century. The Genomes to Life laboratories will attract top researchers and push the envelope of present technologies. The Genomes to Life Act will help the U.S. to maintain our premiere position in the world in the fields of science and technology.

I look forward to working with my colleagues during this session to ensure passage of this legislation. I believe that the United States must continue to invest in scientific research to maintain our standing in the world and I am confident that this short-term investment will pay long-term dividends to our health, our security, and to our economy.

By Mr. FEINGOLD:

S. 683. A bill to amend the Family and Medical Leave Act of 1993 to provide entitlement to leave to eligible employees whose spouse, son, daughter, or parent is a member of the Armed Forces serving on active duty in support of a contingency operation or notified of an impending call or order to active duty in support of a contingency operation; to the Committee on Health, Education, Labor, and Pensions.

Mr. FEINGOLD. Mr. President, today I am introducing legislation to bring a small measure of relief to the families of our brave military personnel who are being deployed for the ongoing fight against terrorism, the war in Iraq, and other missions around the country and around the world.

The men and women of our Armed Forces undertake enormous sacrifices in their service to our country. They spend time away from home and from their families in different parts of the country and different parts of the world, and, too often, are placed into

harm's way in order to protect the American people and our way of life. We owe them a huge debt of gratitude for their dedicated service.

The ongoing deployments for the fight against terrorism and for the campaign in Iraq are turning upside down the lives of thousands of active duty, National Guard, and Reserve personnel and their families as they seek to do their duty to their country and honor their commitments to their families, and, in the case of the reserve components, to their employers as well. As of March 29, more than 212,000 National Guard and Reserve personnel were on active duty, and thousands more can expect to be activated in the coming days and weeks.

Some of my constituents are facing the latest in a series of multiple activations and deployments for family members who serve our country in the military. Others are seeing their loved ones off on their first deployment. All of these families share in the worry and concern about what awaits their relatives and hope, as we do, for their swift and safe return.

Our men and women in uniform face these challenges without complaint. But we should do more to help them and their families with the many things that preparing to be deployed.

Often, military personnel and their families are given only a couple of days' notice that their units will be deployed. These dedicated men and women then have only a very limited amount of time to get their lives in order. For members of the National Guard and Reserve, this includes telling their employers that they will be deployed for, in many cases, up to a year, and will be away from their jobs. I want to commend the many employers around the country for their understanding and support when an employee or a family member of an employee is called to active duty.

In preparation for a deployment, military families often have to scramble to arrange for child care, to pay bills, to contact their landlords or mortgage companies, and take care of other things that we deal with on a daily basis, from stopping the newspaper to making sure that their plants are watered and that their pets are cared for while they are gone.

The legislation that I introduce today would allow eligible employees whose spouses, parents, sons, or daughters are military personnel who are serving on or called to active duty in support of a contingency operation to use their Family and Medical Leave Act, FMLA, benefits for issues relating to our resulting from their deployment. These instances could include preparation for deployment or additional responsibilities that family members take on as a result of a loved one's deployment, such as child care.

I was proud to cosponsor and vote for the lgislaiton that created the Family and Medical Leave Act FMLA, in the early days of my service to the people of Wisconsin as a member of this body. This important law allows eligible workers to take up to 12 weeks of unpaid leave per year for the birth or adoption of child, the placement of a foster child, to care for a newborn or newly adopted child or newly placed foster child, or to care for their own serious health condition or that of a spouse, a parent, or a child. Some employers offer a portion of this time as paid leave in addition to other accured leave, while others require workers to use accrued leave or sick time for this purpose.

Since its enactment in 1993, the FMLA has helped more than 35 million American workers to balance responsibilities to their families and their careers. According to the Congressional Research Service, between 2.2 million and 6.1 million people took advantage of these benefits in 1999–2000.

Our military families sacrifice a great deal. Active duty families often move every couple of years due to transfer and new assignments. And as we rely more heavily on National Guard and Reserve personnel for more and more deployments that are longer in duration, the burden on their families also increases.

This legislation has the support of a number of military organizations, including the Wisconsin National Guard, the National Guard Association of the United States, the Reserve Officers Association, the Military Officers Association of America, and the Enlisted Association of the National Guard of the United States.

We owe it to our military personnel and their families to do all we can to support them in this difficult time. I hope what this bill will bring a small measure of relief to our military families.

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

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

S. 683

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 ''Military Families Leave Act of 2003''.

SEC. 2. GENERAL REQUIREMENTS FOR LEAVE.

(a) ENTITLEMENT TO LEAVE.—Section 102(a) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)) is amended by adding at the end the following:

''(3) ENTITLEMENT TO LEAVE DUE TO FAMILY MEMBER'S ACTIVE DUTY.—

''(A) IN GENERAL.—Subject to section 103(f), an eligible employee shall be entitled to a total of 12 workweeks of leave during any 12-month period because a spouse, son, daughter, or parent of the employee is a member of the Armed Forces—

''(i) on active duty in support of a contingency operation; or

''(ii) notified of an impending call or order to active duty in support of a contingency operation.

''(B) CONDITIONS AND TIME FOR TAKING LEAVE.—An eligible employee shall be entitled to take leave under subparagraph (A)—

''(i) while the employee's spouse, son, daughter, or parent is on active duty in support of a contingency operation, and, if the family member is a member of a reserve component of the Armed Forces, beginning when such family member receives notification of an impending call or order to active duty in support of a contingency operation; and

''(ii) only for issues relating to or resulting from such family member's—

''(I) service on active duty in support of a contingency operation; and

''(II) if a member of a reserve component of the Armed Forces—

''(aa) receipt of notification of an impending call or order to active duty in support of a contingency operation; and

''(bb) service on active duty in support of such operation.

''(4) LIMITATION.—No employee may take more than a total of 12 workweeks of leave under paragraphs (1) and (3) during any 12-month period.''.

(b) SCHEDULE.—Section 102(b)(1) of such Act (29 U.S.C. 2612(b)(1)) is amended by inserting after the second sentence the following: ''Leave under subsection (a)(3) may be taken intermittently or on a reduced leave schedule.''.

(c) SUBSTITUTION OF PAID LEAVE.—Section 102(d)(2)(A) of such Act (29 U.S.C. 2612(d)(2)(A)) is amended by inserting ''or subsection (a)(3)'' after ''subsection (a)(1)''.

(d) NOTICE.—Section 102(e) of such Act (29 U.S.C. 2612(e)) is amended by adding at the end the following:

''(3) NOTICE FOR LEAVE DUE TO FAMILY MEMBER'S ACTIVE DUTY.—An employee who intends to take leave under subsection (a)(3) shall provide such notice to the employer as is practicable.''.

(e) CERTIFICATION.—Section 103 of such Act (29 U.S.C. 2613) is amended by adding at the end the following:

''(f) CERTIFICATION FOR LEAVE DUE TO FAMILY MEMBER'S ACTIVE DUTY.—An employer may require that a request for leave under section 102(a)(3) be supported by a certification issued at such time and in such manner as the Secretary may by regulation prescribe.''.

SEC. 3. LEAVE FOR CIVIL SERVICE EMPLOYEES.

(a) ENTITLEMENT TO LEAVE.—Section 6382(a) of title 5, United States Code, is amended by adding at the end the following:

''(3)(A) Subject to section 6383(f), an eligible employee shall be entitled to a total of 12 workweeks of leave during any 12-month period because a spouse, son, daughter, or parent of the employee is a member of the Armed Forces—

''(i) on active duty in support of a contingency operation; or

''(ii) notified of an impending call or order to active duty in support of a contingency operation.

''(B) An eligible employee shall be entitled to take leave under subparagraph (A)—

''(i) while the employee's spouse, son, daughter, or parent is on active duty in support of a contingency operation, and, if the family member is a member of a reserve component of the Armed Forces, beginning when such family member receives notification of an impending call or order to active duty in support of a contingency operation; and

''(ii) only for issues relating to or resulting from such family member's—

''(I) service on active duty in support of a contingency operation; and

''(II) if a member of a reserve component of the Armed Forces—

''(aa) receipt of notification of an impending call or order to active duty in support of a contingency operation; and

''(bb) service on active duty in support of such operation.

''(4) No employee may take more than a total of 12 workweeks of leave under paragraphs (1) and (3) during any 12-month period.''.

(b) SCHEDULE.—Section 6382(b)(1) of such title is amended by inserting after the second sentence the following: ''Leave under subsection (a)(3) may be taken intermittently or on a reduced leave schedule.''.

(c) SUBSTITUTION OF PAID LEAVE.—Section 6382(d) of such title is amended by inserting ''or subsection (a)(3)'' after ''subsection (a)(1)''.

(d) NOTICE.—Section 6382(e) of such title is amended by adding at the end the following:

''(3) An employee who intends to take leave under subsection (a)(3) shall provide such notice to the employing agency as is practicable.''.

(e) CERTIFICATION.—Section 6383 of such title is amended by adding at the end the following:

''(f) An employing agency may require that a request for leave under section 6382(a)(3) be supported by a certification issued at such time and in such manner as the Office of Personnel Management may by regulation prescribe.''.

By Mr. SMITH (for himself, Mr. WYDEN, Mr. ALLARD, Mr. BAYH, Mr. BOND, Mr. BROWNBACK, Mr. MILLER Mr. NICKLES, Mr. SANTORUM, Mr. CORNYN, and Mr. SPECTER):

S. 684. A bill to create an office within the Department of Justice to undertake certain specific steps to ensure that all American citizens harmed by terrorists overseas receive equal treatment by the United States Government regardless of the terrorists' country of origin or residence, and to ensure that all terrorists involved in such attacks are pursued, prosecuted, and punished with equal vigor, regardless of the terrorists' country of origin or residence; to the Committee on the Judiciary.

Mr. SMITH. Mr. President, I rise today to right a wrong. I am doing so on behalf of myself and Mr. WYDEN, Mr. ALLARD, Mr. BAYH, Mr. BOND, Mr. BROWNBACK, Mr. MILLER, Mr. NICKLES, Mr. SANTORUM, and Mr. SPECTER. For far too many years, Americans who have been murdered overseas by terrorists have not been receiving the full weight of equal justice under the law, a fundamental principle of our governance. This is happening while we are in the midst of trying to introduce the institutions of democracy, including the notion of a fair judicial system, to a skeptical part of the world. This is happening while we are in the midst of a War on Terrorism.

This double standard of justice sends out a pernicious, mixed message to would-be terrorists around the world. It suggests that we are weak in our resolve to prosecute certain terrorists who have murdered certain American citizens. It wrongly sends the message that certain American lives are more valuable and more worthy of justice than others. Or as the mother of Mathew Eisenfeld, a young Yale University graduate who was killed in 1996, together with his young fiancé, Sara Ducker, a Barnard College graduate, put it, ''it makes me feel that my son's blood is less American than others.''

When our embassies were attacked in Kenya and Tanzania on August 7, 1998, then Secretary of State Albright and President Clinton said, ''You can run but you can't hide from the long arm of American justice. Anywhere an American is murdered around the globe, we will seek out that suspect and retrieve him to these shores to stand justice.''

However, since the signing of the Oslo Accords on September 13, 1993, thirty-nine American citizens have lost their lives at the hands of Palestinian terrorists alone. And how many indictments have there been in response to these thirty-nine murders? Zero. Notably, one can't find the term Palestinian on the State Department's web site for the ''Rewards of Justice'' program—the place where suspects are listed and rewards are described for their capture. That website rather contains only vague references to ''persons in opposition to the Middle East Peace Process.''

This is simply wrong. On the humanitarian level, it is wrong. When our own government fails to mete out justice with equal and due diligence for a particular victim, or a group of victims, this compounds the grief experienced by American families who have lost loved ones to terrorists: families such as that of 14 year old Abigail Litle, an American girl from New Hampshire, a young Christian who was among the fifteen people murdered in the recent terrorist attack on a bus in Haifa, Israel; families like those of Ted Burgon of Oregon and Rick Spier of Colorado, the two American teachers killed in August of 2002 in Indonesia. Murders for which there have been no indictments and no suspects named. FBI agents have underscored that until such time as they have full and unfettered access to witnesses and evidence in Indonesia, they cannot rule out terrorism, nor can they exonerate members of the Indonesian military who have been implicated in this heinous crime.

This is wrong as a matter of foreign policy. Anything less than 100 percent commitment to pursue all terrorists who harm or murder American citizens undermines our moral clarity and our War on Terrorism. it also serves to embolden would-be terrorists all over the world, ultimately putting us all at greater risk.

We have arrived at this unfortunate juncture because the State Department, whose major objective is diplomacy, has had primary purview over this issue. The State Department, it would seem, has simply not brought its full resources to bear when it comes to facilitating the investigation, capture and prosecution of those who have murdered Americans overseas. This is particularly true if those Americans have been murdered in Israel or in areas under control of the Palestinian Authority, or in countries whose support we are seeking or counting on in the War on Terrorism.

The major objective of the Justice Department, in contrast, is justice. The Justice Department recently scored a victory, when on February 20th, they issued indictments on several members of the Palestinian Islamic Jihad. That terrorist organization is believed to be responsible for the deaths of two American citizens, and dozens of other people in recent years. As we celebrate this substantial step toward justice, however, we cannot lose sight of the fact that there is much more work to be done.

We should not, and cannot, in good conscience allow the pursuit of justice to be suborned to diplomatic considerations and expediencies. This is why I am introducing the Koby Mandell Act of 2003. Koby was a 13 year old boy from Silver Spring, MD, who one day decided to do the Huck Finn thing, and skip school. However, the punishment did not fit the crime. His body was found brutally stoned and dismembered in a cave outside of Tekoah, Israel. His assailants remain at large in the Palestinian controlled areas.

This Act will create a watch-dog office within the Department of Justice to ensure that all terrorists who murder or harm American citizens overseas are pursued with equal vigor, irrespective of the nationality or current residence of the terrorist. This Act will work to ensure that no other American family who has suffered at the hands of overseas terrorism will have their grief compounded a lack of justice.

I urge you all to join me and my fellow senator from the State of Oregon, RON WYDEN, by becoming a sponsor of the Koby Mandell Act, to put the issue of justice for American victims of overseas terrorism into the hands of the Justice department, where it truly belongs.

I ask unanimous consent that the text of the Koby Mandell Act of 2003 be printed in the RECORD.

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

S. 684

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 ''Koby Mandell Act of 2003''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Numerous American citizens have been murdered or maimed by terrorists around the world, including more than 100 murdered since 1968 in terrorist attacks occurring in Israel or in territories administered by Israel or in territories administered by the Palestinian Authority.

(2) Some American citizens who have been victims of terrorism overseas, especially those harmed by terrorists operating from areas administered by the Palestinian Authority, have not received from the United States Government services equal to those received by other such victims of overseas terrorism.

(3) The United States Government has not devoted adequate efforts or resources to the

apprehension of terrorists who have harmed American citizens overseas, particularly in cases involving terrorists operating from areas administered by the Palestinian Authority. Monetary rewards for information leading to the capture of terrorists overseas, which the Government advertises in regions where the terrorists are believed to be hiding, have not been advertised in areas administered by the Palestinian Authority.

(4) This situation is especially grave in the areas administered by the Palestinian Authority, because many terrorists involved in the murders of Americans are walking free there; some of these terrorists have been given positions in the Palestinian Authority security forces or other official Palestinian Authority agencies; and a number of schools, streets, and other public sites have been named in honor of terrorists who were involved in the murders of Americans.

(5) To remedy these and related problems, an office should be established within the Department of Justice for the purpose of ensuring equally vigorous efforts to capture all terrorists who have harmed American citizens overseas and equal treatment for all American victims of overseas terrorism.

SEC. 3. ESTABLISHMENT OF AN OFFICE OF JUSTICE FOR VICTIMS OF OVERSEAS TERRORISM IN THE DEPARTMENT OF JUSTICE.

(a) IN GENERAL.—There is established within the Department of Justice an Office of Justice for Victims of Overseas Terrorism (in this Act referred to as the ''Office'') to carry out the following activities:

(1) REWARDS FOR JUSTICE.—

(A) IN GENERAL.—The Office shall assume responsibility for administration of the Rewards for Justice program and its website.

(B) ADMINISTRATION.—In administering the Rewards for Justice program the Office shall ensure that—

(i) rewards are offered to capture all terrorists involved in harming American citizens overseas, regardless of the terrorists' country of origin or residence;

(ii) such rewards are prominently advertised in the mass media and public sites in all countries or regions where such terrorists reside;

(iii) the names and photographs and suspects in all such cases are included on the website; and

(iv) the names of the specific organizations claiming responsibility for terrorist attacks mentioned on the site are included in the descriptions of those attacks.

(2) NOTIFICATION PROGRAM.—The Office shall establish and administer a program—

(A) comparable to the VINE system for notification of crime victims; and

(B) that will provide notification for American victims of overseas terrorism or their immediate family to update them on the status of efforts to capture the terrorists who harmed them.

(3) GOVERNMENT REPRESENTATION.—The Office shall send an official United States Government representative to attend the funeral of every American victim of terrorism overseas.

(4) REPORT.—The Office shall assume responsibility for providing twice-annual reports to Congress as required by section 805 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001.

(5) PROFITING FROM CRIMES.—The Office shall work with other United States Government agencies to expand legal restrictions on the ability of murders to reap profits from books or movies concerning their crimes so as to ensure that terrorists who harm American citizens overseas are unable to profit from book or movie sales in the United States.

(6) TERRORISTS AS POLICE.—The Office shall—

(A) determine if terrorists who have harmed American citizens overseas are serving in their local police or security forces; and

(B) if it is found that terrorists who have harmed American citizens overseas are serving in their local police or security forces—

(i) alert those United States Government agencies involved in providing assistance, directly or indirectly, to those forces; and

(ii) request of those agencies that all such assistance be halted until the aforementioned terrorists are removed from their positions.

(7) PATTERNS OF PROSECUTION.—The Office shall—

(A) undertake a comprehensive assessment of the pattern of United States indictments and prosecution of terrorists who have harmed American citizens overseas, in order to determine the reasons for the absence of indictments of terrorists residing in some regions, such as the territories controlled by the Palestinian Authority; and

(B) provide the assessment to the Attorney General and to Congress, together with its recommendations.

(8) MONITORING.—The Office shall—

(A) monitor public actions by governments and regimes overseas pertaining to terrorists who have harmed American citizens, such as the naming of schools, streets, or other public institutions or sites after such terrorists; and

(B) in such instances, encourage other United States Government agencies to halt their provision of assistance, directly or indirectly, to those institutions.

(9) COMPENSATION.—The Office shall initiate negotiations to secure appropriate financial compensation for American citizens, or the families of such citizens, who were harmed by organizations that claim responsibility for acts of terrorism against Americans overseas and that subsequently become part of a governing regime with which the United States Government maintains diplomatic or other official contacts, such as the Palestinian Authority.

(10) INCARCERATED TERRORISTS.—The Office shall—

(A) monitor the incarceration abroad of terrorists who harmed Americans overseas, to ensure that their conditions of incarceration are reasonably similar to conditions of incarceration in the United States; and

(B) in cases where terrorists who have harmed Americans overseas, and are subsequently released from incarceration abroad, are eligible for further prosecution in the United States, coordinate with other Government agencies to seek the transfer of those terrorists to the United States for further prosecution.

(11) PERSONA NON GRATA.—The Office shall strive to ensure that all terrorists who have harmed Americans overseas are treated by the United States Government as persona non grata, including steps such as—

(A) denying those individuals visas for entry to the United States;

(B) urging United States Government agencies to refrain from political and diplomatic contacts with those individuals; and

(C) instructing United States embassies and consulates to urge American visitors to those countries to refrain from patronizing businesses that are owned or operated by such individuals.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated for fiscal year 2003 and each subsequent fiscal year such sums as may be necessary to carry out this Act.

(b) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are authorized to remain available until expended.

By Mr. BINGAMAN (for himself and Mr. AKAKA):

S. 685. a bill to assist low income taxpayers in preparing and filing their tax returns and to protect taxpayers from unscrupulous refund anticipation loan providers, and for other purposes; to the Committee on Finance.

Mr. BINGAMAN. Mr. President, I rise today with my colleague from Hawaii, Senator AKAKA, to re-introduce the Low Income Taxpayer Protection Act of 2003. This legislation, if enacted, will give taxpayers much needed assistance with the arduous annual task of preparing their Federal tax returns by providing them with real alternatives to paying for expensive tax preparation services. In doing so, many of these taxpayers will not need to take out expensive and oftentimes usurious refund anticipation loans that greatly reduce the tax refund that these taxpayers are entitled to receive. As we all know, the result of a complicated tax code is complex and confusing tax forms. Until Congress is able to provide simple and understandable forms for taxpayers, we have an obligation to make sure that taxpayers have the ability to prepare and file their tax returns without paying for expensive and sometimes abusive services.

Refund anticipation loans, RALs, are high interest loans offered to taxpayers that are secured by their anticipated tax refund. While some taxpayers may choose these loans willingly, many are often forced to take out a RAL to cover the upfront cost of the preparation services. Sadly, many taxpayers get caught with outstanding loans that they can't pay off because a mistake was made on their tax return resulting in a smaller than anticipated refund. Many of these loans, when annualized, have interest rates over 200 percent. As long as we require our Nation's taxpayers to determine their own tax liability, we will have a responsibility to make sure that these same taxpayers have an alternative to these expensive options. We must come up with better options for these taxpayers than paying usurious fees and expenses or not filing a return.

Recently the Brookings Institute and the Economic Policy Institute released a report that illustrated the abuses occurring with RALs. According to this report, roughly $1.75 billion of the earned income credit, EIC, funds are annually going to tax return preparers and RAL fees and costs. It was not the intent of Congress that this program would create such a middleman for these funds. Every dollar that goes to these businesses is a dollar that is not going to the intended beneficiaries. The EIC has become one of the most effective tools for fighting poverty and benefiting low and moderate income working families, and so it is essential that every dollar of this credit goes to the taxpayer.

To help low and moderate income taxpayers, my bill requires all those involved with RALs to register with the IRS. Treasury will then be required to determine what is a fair amount of interest and fees to be charged based on the benefit to the taxpayer and the risk to the lender. It will also expand the Volunteer Income Tax Assistance program by directly giving them matching funds to operate. VITA clinics are one of the few places lower income taxpayers can go to get free assistance with their tax returns.

In New Mexico, the VITA program has had an enormous impact. For example, in conjunction with Albuquerque Technical Vocational Institute, TVI, over 8,500 taxpayers were assisted with their returns last year resulting in over $9 million in refunds being brought back into the New Mexico economy. This year, this program is on pace to assist even more taxpayers. By utilizing a computer program system developed and advocated by Fred Gordon, an accounting instructor at TVI, even supervised high school students at Del Norte High School in Albuquerque have been preparing and filing tax returns. I commend the efforts of those directly involved with this program, as well as, the scores of volunteers who give their time to help prepare tax returns for their fellow New Mexicans. Through the efforts of groups such as the Albuquerque Hispano Chamber of Commerce, Public Service Company of New Mexico (PNM), TVI and Wells Fargo Bank, the VITA program has made a big difference in New Mexico, but more needs to be done. Our legislation will provide programs like these with the ability to get some matching Federal grants to make it possible to pay for training materials, computers or other necessary equipment. A little money can go a long way and I intend to keep working with my colleagues here in the Senate until this becomes a reality. This is a truly worthwhile goal and one that will greatly help communities in New Mexico as well as the rest of the country.

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. 685

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 ''Low Income Taxpayer Protection Act of 2003''.

SEC. 2. REGULATION OF INCOME TAX RETURN PREPARERS AND REFUND ANTICIPATION LOAN PROVIDERS.

(a) DEFINITIONS.—In this Act:

(1) INCOME TAX RETURN PREPARER.—

(A) IN GENERAL.—The term ''income tax return preparer'' means any individual who is an income tax return preparer (within the meaning of section 7701(a)(36) of the Internal Revenue Code of 1986) who prepares not less than 5 returns of tax imposed by subtitle A of such Code or claims for refunds of tax imposed by such subtitle A per taxable year.

(B) EXCEPTION.—Such term shall not include a federally authorized tax practitioner within the meaning of section of 7526(a)(3) of such Code.

(2) REFUND ANTICIPATION LOAN PROVIDER.—The term ''refund anticipation loan provider'' means a person who makes a loan of money or of any other thing of value to a taxpayer because of the taxpayer's anticipated receipt of a Federal tax refund.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

(b) REGULATIONS.—

(1) REGISTRATION REQUIRED.—

(A) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall promulgate regulations that—

(i) require the registration of income tax return preparers and of refund anticipation loan providers with the Secretary or the designee of the Secretary, and

(ii) prohibit the payment of a refund of tax to a refund anticipation loan provider or an income tax return preparer that is the result of a tax return which is prepared by the refund anticipation loan provider or the income tax return preparer which does not include the refund anticipation loan provider's or the income tax return preparer's registration number.

(B) NO DISCIPLINARY ACTION.—The regulations shall require that an applicant for registration must not have demonstrated any conduct that would warrant disciplinary action under part 10 of title 31, Code of Federal Regulations.

(C) BURDEN OF REGISTRATION.—In promulgating the regulations, the Secretary shall minimize the burden and cost on the registrant.

(2) RULES OF CONDUCT.—All registrants shall be subject to rules of conduct that are consistent with the rules that govern federally authorized tax practitioners.

(3) REASONABLE FEES AND INTEREST RATES.—The Secretary, after consultation with any expert as the Secretary deems appropriate, shall include in the regulations guidance on reasonable fees and interest rates charged to taxpayers in connection with loans to taxpayers made by refund anticipation loan providers.

(4) RENEWAL OF REGISTRATION.—The regulations shall determine the time frame required for renewal of registration and the manner in which a registered income tax return preparer or a registered refund anticipation loan provider must renew such registration.

(5) FEES.—

(A) IN GENERAL.—The Secretary may require the payment of reasonable fees for registration and for renewal of registration under the regulations.

(B) PURPOSE OF FEES.—Any fees required under this paragraph shall inure to the Secretary for the purpose of reimbursement of the costs of administering the requirements of the regulations.

(c) PROHIBITION.—Section 6695 of the Internal Revenue Code of 1986 (relating to other assessable penalties with respect to the preparation of income tax returns for other persons) is amended by adding at the end the following new subsection:

''(h) ACTIONS ON A TAXPAYER'S BEHALF BY A NON-REGISTERED PERSON.—Any person not registered pursuant to the regulations promulgated by the Secretary under the Low Income Taxpayer Protection Act of 2003 who—

''(1) prepares a tax return for another taxpayer for compensation, or

''(2) provides a loan to a taxpayer that is linked to or in anticipation of a tax refund for the taxpayer,

shall be subject to a $500 penalty for each incident of noncompliance.''.

(d) COORDINATION WITH SECTION 6060(a).—The Secretary shall determine whether the registration required under the regulations issued pursuant to this section should be in lieu of the return requirements of section 6060.

(e) PAPERWORK REDUCTION.—The Secretary shall minimize the amount of paperwork required of a income tax return preparer or a refund anticipation loan provider to meet the requirements of these regulations.

SEC. 3. IMPROVED SERVICES FOR TAXPAYERS.

(a) ELECTRONIC FILING EFFORTS.—

(1) IN GENERAL.—The Secretary shall focus electronic filing efforts on benefiting the taxpayer by—

(A) reducing the time between receipt of an electronically filed return and remitting a refund, if any,

(B) reducing the cost of filing a return electronically,

(C) improving services provided by the Internal Revenue Service to low and moderate income taxpayers,

(D) providing tax-related computer software at no or nominal cost to low and moderate income taxpayers, and

(E) providing electronic filing for all taxpayers without the use of an intermediary.

(2) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall prepare and submit to Congress a report on the efforts made pursuant to paragraph (1).

(b) VOLUNTEER INCOME TAX ASSISTANCE PROGRAM.—

(1) STUDY.—The Secretary shall undertake a study on the expansion of the volunteer income tax assistance program to service more low income taxpayers.

(2) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall prepare and submit to Congress a report on the study conducted pursuant to paragraph (1).

(c) TELE-FILING.—The Secretary shall ensure that tele-filing is available for all taxpayers for the filing of tax returns with respect to taxable years beginning in 2003.

(d) TERMINATION OF THE DEBT INDICATOR PROGRAM.—The Secretary shall terminate the Debt Indicator program announced in Internal Revenue Service Notice 99–58.

(e) DIRECT DEPOSIT ACCOUNTS.—The Secretary shall allocate resources to programs to assist low income taxpayers in establishing accounts at financial institutions that receive direct deposits from the United States Treasury.

(f) PILOT PROGRAM FOR MOBILE TAX RETURN FILING OFFICES.—

(1) IN GENERAL.—The Secretary shall establish a pilot program for the creation of four mobile tax return filing offices with electronic filing capabilities.

(2) LOCATION OF SERVICE.—

(A) IN GENERAL.—The mobile tax return filing offices shall be located in communities that the Secretary determines have a high incidence of taxpayers claiming the earned income tax credit.

(B) INDIAN RESERVATION.—At least one mobile tax return filing office shall be on or near an Indian reservation (as defined in section 168(j)(6) of the Internal Revenue Code of 1986).

SEC. 4. ASSISTANCE PROGRAM TO IMPROVE ACCESS TO FEDERALLY INSURED FINANCIAL INSTITUTIONS FOR TAXPAYERS.

(a) FINDINGS AND PURPOSE.—

(1) FINDINGS.—Congress finds the following:

(A) Approximately 40,000,000 Americans are unbanked and not utilizing mainstream, insured financial institutions.

(B) In 1999, nearly half of the $30,000,000,000 in earned income tax credits (EITC) claimed

nationwide was refunded through refund anticipation loans, and an estimated $1,750,000,000 intended to assist low-income families through the EITC was received by commercial tax preparers and affiliated national banks to pay for tax assistance, electronic filing of returns, and high-cost refund loans.

(C) Refund anticipation loans carry interest rates in a range between 97.4 percent to more than 2000 percent.

(D) An estimated 45 percent of earned income tax credit recipients pay for check cashing services, which reduces EITC benefits by $130,000,000.

(E) Individuals with bank accounts can receive their tax refunds faster than waiting for a paper check and without the need to utilize refund anticipation loans or check cashiers.

(F) Individuals with federally insured depository accounts have an increased opportunity to access financial services at mainstream financial institutions, which typically have reduced costs for consumers.

(2) PURPOSE.—It is the purpose of this section to establish a grant program to provide unbanked low-and moderate-income taxpayers with tax preparation services and increase their access to financial services by the establishment of an account at a federally insured depository institution or credit union and the provision of financial education.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary is authorized to award demonstration project grants (including multi-year grants) to eligible entities to provide tax preparation services and assistance along with establishing an account in a federally insured depositary institution for individuals that currently do not have such an account.

(c) ELIGIBLE ENTITIES.—

(1) IN GENERAL.—An entity is eligible to receive a grant under this section if such an entity is—

(A) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code,

(B) a federally insured depository institution,

(C) an agency of a State or local government,

(D) a community development financial institution,

(E) an Indian tribal organization,

(F) an Alaska Native Corporation,

(G) a Native Hawaiian organization,

(H) a labor organization, or

(I) a partnership comprised of 1 or more of the entities described in the preceding subparagraphs.

(2) DEFINITIONS.—For purposes of this section—

(A) FEDERALLY INSURED DEPOSITORY INSTITUTION.—The term ''federally insured depository institution'' means any insured depository institution (as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813)) and any insured credit union (as defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752)).

(B) COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION.—The term ''community development financial institution'' means any organization that has been certified as such pursuant to section 1805.201 of title 12, Code of Federal Regulations.

(C) ALASKA NATIVE CORPORATION.—The term ''Alaska Native Corporation'' has the same meaning as the term ''Native Corporation'' under section 3(m) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(m)).

(D) NATIVE HAWAIIAN ORGANIZATION.—The term ''Native Hawaiian organization'' means any organization that—

(i) serves and represents the interests of Native Hawaiians, and

(ii) has as a primary and stated purpose the provision of services to Native Hawaiians.

(E) LABOR ORGANIZATION.—The term ''labor organization'' means an organization in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(d) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Secretary in such form and containing such information as the Secretary may require.

(e) LIMITATION ON ADMINISTRATIVE COSTS.—A recipient of a grant under this section may not use more than 6 percent of the total amount of such grant in any fiscal year for the administrative costs of carrying out the programs funded by such grant in such fiscal year.

(f) EVALUATION AND REPORT.—For each fiscal year in which a grant is awarded under this section, the Secretary shall submit a report to Congress containing a description of the activities funded, amounts distributed, and measurable results, as appropriate and available.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary, for the grant program described in this section, $10,000,000, or such additional amounts as deemed necessary, to remain available until expended.

(h) REGULATIONS.—The Secretary is authorized to promulgate regulations to implement and administer the grant program under this section.

SEC. 5. MATCHING GRANTS TO LOW-INCOME TAXPAYER CLINICS FOR RETURN PREPARATION.

(a) IN GENERAL.—Chapter 77 of the Internal Revenue Code of 1986 (relating to miscellaneous provisions) is amended by inserting after section 7526 the following new section:

''SEC. 7526A. RETURN PREPARATION CLINICS FOR LOW-INCOME TAXPAYERS.

''(a) IN GENERAL.—The Secretary may, subject to the availability of appropriated funds, make grants to provide matching funds for the development, expansion, or continuation of qualified return preparation clinics.

''(b) DEFINITIONS.—For purposes of this section—

''(1) QUALIFIED RETURN PREPARATION CLINIC.—

''(A) IN GENERAL.—The term 'qualified return preparation clinic' means a clinic which—

''(i) does not charge more than a nominal fee for its services (except for reimbursement of actual costs incurred), and

''(ii) operates programs which assist low-income taxpayers in preparing and filing their Federal income tax returns, including schedules reporting sole proprietorship or farm income.

''(B) ASSISTANCE TO LOW-INCOME TAXPAYERS.—A clinic is treated as assisting low-income taxpayers under subparagraph (A)(ii) if at least 90 percent of the taxpayers assisted by the clinic have incomes which do not exceed 250 percent of the poverty level, as determined in accordance with criteria established by the Director of the Office of Management and Budget.

''(2) CLINIC.—The term 'clinic' includes—

''(A) a clinical program at an eligible educational institution (as defined in section 529(e)(5)) which satisfies the requirements of paragraph (1) through student assistance of taxpayers in return preparation and filing, and

''(B) an organization described in section 501(c) and exempt from tax under section 501(a) which satisfies the requirements of paragraph (1).

''(c) SPECIAL RULES AND LIMITATIONS.—

''(1) AGGREGATE LIMITATION.—Unless otherwise provided by specific appropriation, the Secretary shall not allocate more than $10,000,000 per year (exclusive of costs of administering the program) to grants under this section.

''(2) OTHER APPLICABLE RULES.—Rules similar to the rules under paragraphs (2) through (5) of section 7526(c) shall apply with respect to the awarding of grants to qualified return preparation clinics.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 7526 the following new item:

''Sec. 7526A. Return preparation clinics for low-income taxpayers.''.

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

Mr. AKAKA. Thank you, Mr. President. I rise today to speak on the Low Income Taxpayer Protection Act of 2003, which Senator BINGAMAN and I are introducing today. I thank Senator BINGAMAN for his leadership on this important issue.

The legislation that my colleague from New Mexico and I are introducing would provide the Department of the Treasury with the authority to regulate income tax refund anticipation loans, RALs, and prohibit excessive fees. The bill would also provide additional opportunities for low-income taxpayers to receive assistance with tax preparation and filing their taxes and thus, we are seeking to meet taxpayers' needs for assistance while attempting to discourage a predatory practice.

According to the U.S. Census Bureau, in 2001, the Earned Income Tax Credit, EITC, was responsible for elevating nearly four million people above the poverty line. This credit has helped and continues to help low-income individuals and families to meet their food, clothing, housing, transportation, and education needs.

However, while this tax relief is benefitting families who need it most, the EITC's impact is being unnecessarily limited. Earned Income Tax Credit benefits intended for working families are increasingly being diminished by often exorbitant tax preparation fees and the growing use of high-interest refund anticipation loans, which typically carry triple-digit interest rates.

In 1999, according to a report published by the Brookings Institution, an estimated $1.75 billion intended to assist low-income families went to commercial tax preparers and affiliated national banks for tax assistance, electronic filing of returns, and high-cost refund loans. Although tax preparation services are useful, when combined with refund anticipation loans and other fees, these services are overpriced. The report further stated that 39 percent of taxpayers who earned the EITC received their refund through a refund anticipation loan, while only

four percent of those who did not receive the EITC purchased a refund anticipation loan. Clearly, RALs were heavily marketed to a specific population of taxpayer. Forty-seven percent of all EITC dollars were distributed to recipients through these loans. In my state of Hawaii, in the Honolulu metropolitan statistical area, 27.7 percent of all EITC dollars were associated with refund anticipation loans. These loans take money away from the day-to-day, kitchen-table needs of the low-income families.

Furthermore, refund anticipation loans carry interest rates that range from 97.4 percent to more than 2,000 percent. The interest rates and fees charged on these products are not justified for the short length of time that these loans cover. The typical rapid refund loan length is two weeks. These loans carry even less risk because of the Debt Indicator program. The Debt Indicator program allows the Internal Revenue Service to inform the lender if the applicant for a refund loan has any outstanding Federal debts. The risk is further reduced because loan issuers share information about outstanding delinquencies that refund anticipation loan applicants owe and are able to collect debts for each other.

This bill would terminate the Debt Indicator program. In 1995, the use of the Debt Indicator was suspended because of massive fraud in e-filed returns with RALs. After the program was discontinued, RAL participation declined. The use of the Debt Indicator was reinstated in 1999. Remarks from H & R Block Chief Executive Officer Frank L. Salizzoni upon the reinstatement of the program state that the Debt Indicator ''is good news for many of our clients who opt to receive the amount of their refund through Refund Anticipation Loans. The IRS program will likely result in substantially lower fees for this service.'' However, according to a study conducted by the Consumer Federation of America and the National Consumer Law Center, that has not been the case for at least one of the major tax preparers. H & R Block and Household Bank's fees dropped for a year after the Debt Indicator was reinstated. The fees rose significantly from 2000 to 2001, which increased H & R Block's revenue from RALs by 49 percent. Per RAL revenue rose by 43.9 percent while RAL sales volume increased by only 2.7 percent. The expected outcome that RAL prices would go down as a result of the reinstatement of the indicator has not occurred. The use of the Debt Indicator should again be stopped.

Another important provision in the bill is authorization language for a grant program to link tax preparation services with the establishment of a bank account. There are still approximately four million EITC recipients that are classified as unbanked, and lack a formal relationship with a financial institution. It has been estimated that 45 percent of EITC recipients pay for check cashing services. These check cashing services reduce EITC benefits by $130 million. Having a bank account allows individuals not only to receive their tax refund check faster than waiting for a paper check, but also does not impose the excessive fees that check cashing services and refund anticipation loan providers assess. An account at a bank or credit union provides consumers alternatives to rapid refund loans, check cashing services, and lower cost remittances. In addition, bank and credit union accounts provide access to saving and borrowing services found at mainstream financial institutions. This grant program builds upon the First Accounts initiative which has funded pilot projects that have coupled tax preparation services with the establishment of bank accounts. An example of such a project is the partnership that has been established among The Center for Law & Human Services, Accounting Aid Society, ShoreBank, National Consumer Law Center, and Consumer Federation of America that is taking place in Chicago and Detroit. More of these programs are necessary to provide much needed tax preparation assistance and to encourage the use of mainstream financial services.

I encourage all of my colleagues to support this legislation.

By Mr. DEWINE (for himself, Mrs. MURRAY, Ms. LANDRIEU, Mr. BREAUX, Mr. BINGAMAN, and Mr. INOUYE):

S. 686. A bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers; to the Committee on Health, Education, Labor, and Pensions.

Mr. DEWINE. Mr. President, I am pleased to join with my colleagues—Senators MURRAY, LANDRIEU, BREAUX, BINGAMAN, and INOUYE—to introduce the Poison Control Center Awareness and Enhancement Act of 2003. Our bill is designed to help make certain that the vital work of our nation's poison control centers continues.

Many of us—as parents and grandparents—have experienced the terrifying situation when a child accidentally swallows something potentially toxic. Fortunately, local poison control centers—many of them located at children's hospitals—work around the clock to answer questions from parents and to field phone calls from others about possible poisonings. Today, we also have in place a national, toll-free poison control telephone number—and that number is 1–800–222–1222—that automatically connects callers to specially trained nurses, pharmacists, and doctors at the closest local poison center.

This phone number went into effect as a result of legislation I helped get signed into law a few years ago. And now, as parents of eight children and now grandparents of eight, my wife, Fran, and I can tell you that we rest a bit easier knowing that in the case of a possible poisoning, all we need to do is call a toll free, 1–800 telephone number to get in contact with the nearest poison control center. Any parents, anywhere—whether they are in their own hometown or in another state on vacation—can call the 1–800 number, 24 hours a day, 7 days a week in the event of a poisoning.

There are over 70 poison control centers nationwide—three in my home State of Ohio. These centers have fielded over one million phone calls just since January 2002, answering questions about poisonous, drug abuse, product contents, substance identification interactions, and adverse reactions. They can answer questions and concerns about what would typically be called poisonous products—things like cleaners and bleach. This is the most common poison exposure for children, who typically ingest household products, such as cosmetics and personal care products, cleaning substances, pain relievers, foreign bodies, and plants.

But poison control centers can also answer questions about products that people may not think are poisonous, like prescribed medicines or over-the-counter medications. Maybe someone mixed medications or misread a label and took too much of the medicine by accident. Poison control centers can answer caller questions and direct the caller to seek medical attention if necessary.

I remember very clearly a time when Fran and I needed to call the local poison control center. As we were wrapping up our annual Ice Cream Social at our home in Cedarville, our then two year-old granddaughter, Isabelle, fell into a bucket of cleaning solution. We feared that she may have swallowed some of the solution and immediately called the poison control center. We were very lucky. The trained health care professional at the local poison center explained that all we needed to do was rinse Isabelle off and have her drink some water. The quick response of the poison control center provided rapid, easy answers to our questions—a process that has become even easier since the toll-free hotline began operating.

A young child, like Isabelle, is representative of most poisoning cases; however, adults often face situations necessitating information and help from poison control centers. Take the example of what occurred in Marysville, OH. Thirty workers in a manufacturing plant in Marysville were victims of gas exposure. Twenty of these workers went to Union Memorial Hospital. The hospital contacted the poison center, after which these patients were given oxygen and later discharged that same day. Ten others went to a different hospital that did not call a poison center. These patients were not released until the next day, even though their symptoms did not differ from the other 20 workers. The national hotline will help cut-down on situations like that in Marysville.

Our Nation's poison control centers handle an average of one poison exposure every 15 seconds. These centers are critical to our communities—especially now during this time of war and uncertainty. Parents are already anxious about the safety of their children, and with the potential anthrax scares or chemical or biologic scares, poison control centers can provide information to parents and help relieve some of their concerns.

The bill we are introducing today would provide the continued funding needed to ensure that the national toll-free number continues to operate, taking phone calls and helping families across the country. We must continue to increase the accessibility and effectiveness of our nation's poison control centers, as well as cement their existence for future generations. With this bill, we are not just making an investment in poison control; rather, we are making it easier to keep our children, friends, and ourselves safer and healthier.

I encourage my colleagues to remember the hotline number—it could save a life: 1–800–222–1222.

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. 686

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 ''Poison Control Center Enhancement and Awareness Act Amendments of 2003''.

SEC. 2. FINDINGS.

Section 2 of the Poison Control Enhancement and Awareness Act (42 U.S.C. 14801) is amended to read as follows:

''SEC. 2. FINDINGS.

''Congress finds the following:

''(1) Poison control centers are our Nation's primary defense against injury and deaths from poisoning. Twenty-four hours a day, the general public as well as health care practitioners contact their local poison centers for help in diagnosing and treating victims of poisoning and other toxic exposures.

''(2) Poisoning is the third most common form of unintentional death in the United States. In any given year, there will be between 2,000,000 and 4,000,000 poison exposures. More than 50 percent of these exposures will involve children under the age of 6 who are exposed to toxic substances in their home. Poisoning accounts for 285,000 hospitalizations, 1,200,000 days of acute hospital care, and 13,000 fatalities annually.

''(3) Stabilizing the funding structure and increasing accessibility to poison control centers will promote the utilization of poison control centers, and reduce the inappropriate use of emergency medical services and other more costly health care services.

''(4) The tragic events of September 11, 2001, and the anthrax cases of October 2001, have dramatically changed our Nation. During this time period, poison centers in many areas of the country were answering thousands of additional calls from concerned residents. Many poison centers were relied upon as a source for accurate medical information about the disease and the complications resulting from prophylactic antibiotic therapy.

''(5) The 2001 Presidential Task Force on Citizen Preparedness in the War on Terrorism recommended that the Poison Control Centers be used as a source of public information and public education regarding potential biological, chemical, and nuclear domestic terrorism.

''(6) The increased demand placed upon poison centers to provide emergency information in the event of a terrorist event involving a biological, chemical, or nuclear toxin will dramatically increase call volume.''.

SEC. 3. MAINTENANCE OF A NATIONAL TOLL FREE NUMBER.

Section 4 of the Poison Control Enhancement and Awareness Act (42 U.S.C. 14803) is amended—

(1) by striking the section heading and inserting the following:

''SEC. 4. MAINTENANCE OF A NATIONAL TOLL-FREE NUMBER.'';

and

(2) in subsection (c), by inserting ''and $2,000,000 for each of fiscal years 2005 through 2009'' after ''2004''.

SEC. 4. NATIONWIDE MEDIA CAMPAIGN.

Section 5 of the Poison Control Enhancement and Awareness Act (42 U.S.C. 14804) is amended—

(1) by striking the section heading and inserting the following:

''SEC. 5. NATIONWIDE MEDIA CAMPAIGN TO PROMOTE POISON CONTROL CENTER UTILIZATION.'';

and

(2) in subsection (c), by inserting ''and $1,500,000 for each of fiscal years 2005 through 2009'' after ''2004''.

SEC. 5. POISON CONTROL CENTER GRANT PROGRAM.

Section 6 of the Poison Control Enhancement and Awareness Act (42 U.S.C. 14805) is amended—

(1) by striking the section heading and inserting the following:

''SEC. 6. MAINTENANCE OF THE POISON CONTROL CENTER GRANT PROGRAM.'';

(2) by striking subsection (b) and inserting the following:

''(b) OTHER IMPROVEMENTS.—The Secretary shall also use amounts received under this section to—

''(1) develop standardized poison prevention and poison control promotion programs;

''(2) develop standard patient management guidelines for commonly encountered toxic exposures;

''(3) improve and expand the poison control data collection systems;

''(4) improve national toxic exposure surveillance;

''(5) expand the toxicologic expertise within poison control centers; and

''(6) improve the capacity of poison control centers to answer high volumes of calls during times of national crisis;

(3) by striking subsection (d)(2) and inserting the following:

''(2) RENEWAL.—The Secretary may renew a waiver under paragraph (1).

''(3) LIMITATION.—In no instance may the sum of the number of years for a waiver under paragraph (1) and a renewal under paragraph (2) exceed 5 years. The preceding sentence shall take effect as if enacted on February 25, 2000.''; and

(4) in subsection (h), by inserting ''and $30,000,000 for each of fiscal years 2005 through 2009'' after ''2004''.

SEC. 7. NATIONWIDE TOXICOSURVEILLANCE OF POISON CENTER DATA TO PROMOTE HAZARD DETECTION.

The Poison Control Enhancement and Awareness Act (42 U.S.C. 14801 et seq) is amended by adding at the end the following:

''SEC. 7. NATIONWIDE TOXICOSURVEILLANCE OF POISON CENTER DATA TO PROMOTE HAZARD DETECTION.

''(a) IN GENERAL.—The Secretary shall assist in the implementation and maintenance of continuous national toxicosurveillance of poison control center data to detect new hazards from household products, pharmaceuticals, traditionally abused drugs, and other toxic substances.

''(b) CONTRACT FOR SERVICES.—The Secretary may enter into a contract with appropriate professional organizations for the collection and analysis of poison center data described in subsection (a) in real time.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $2,500,000 for each of fiscal years 2005 through 2009.''.

By Mrs. BOXER:

S. 687. A bill to amend title 10, United States Code, to prohibit the concurrent deployment to combat zones of both military spouses of military families with minor children, and for other purposes; to the Committee on Armed Services.

Mrs. BOXER. Mr. President, today I am introducing legislation to require that the Secretary of Defense issue regulations that would prevent a mother and father of minor children from being deployed to a combat zone at the same time.

Under my legislation, the Secretary of Defense would have 15 days to implement this policy by issuing regulations that would include the definition of what comprises a combat zone.

As we wage war against Iraq, it is important that we work to ensure that a child will never have to endure the pain of losing both parents during wartime. Military families sacrifice so much to serve our Nation. We should do everything we can to ensure their children are not orphaned.

I hope my colleagues will support this legislation.

By Mr. GRAHAM of Florida:

S. 688. A bill to provide that no electric utility shall be required to enter into a new contract or obligation to purchase or to sell electricity or capacity under section 210 of the Public Utility Regulatory Policies Act of 1978; to the Committee on Energy and Natural Resources.

Mr. GRAHAM. Mr. President, I rise today to introduce this bill that will end the practice of forcing electric utilities to purchase unneeded electricity at above market rates—a practice that ultimately costs consumers more.

This outdated practice began after the 1973–74 oil embargo. In the embargo's aftermath, we understood a far reaching assessment of our energy policies and enacted numerous laws to address the issues facing this country at that time. The Public Utility Regulatory Policies Act of 1978, PURPA, was one of several energy bills that resulted from those efforts.

In 1978, the electric utility industry in this country was based on monopolies and almost totally reliant on antiquated technologies. It was also highly territorial, having only limited ability

to move electricity from one part of the country to another.

PURPA was intended to address these issues. It was designed to alleviate real and potential shortages in electricity and encourage the use of alternative fuels to generate electricity. To do this, it established a new class of electricity generators. The goal was for these new generators to rapidly implement new generating technologies that the utilities had been slow to adopt and to expand the amount of electricity generated with alternative fuels.

To ensure that investors would build these new facilities, PURPA essentially guaranteed them a profit. It required the conventional electric utilities to purchase all of the electricity the new generators wanted to sell. Prices were essentially fixed—requiring traditional utilities to pay for the electricity based on the costs they ''avoided'' by not having to build additional capacity themselves.

And PURPA worked. It led to the development of plants converting waste to energy and to construction of smaller, more efficient generating facilities.

But much has changed since 1978.

Today there are competitive wholesale markets throughout the country, giving generation project developers many opportunities to see their output. The Energy Policy Act of 1992 and a variety of Federal Energy Regulatory Commission directives now ensure that generators have access to transmission lines, so that power can reach those markets. And we now have additional capacity coming from a variety of non-utilities using small-scale facilities and newer, more efficient technologies which allow them to be price competitive.

There have also been changes in the PURPA generators. One of PURPA's goals was to spur the use of alternative or renewable fuels, but 80 percent of the electricity currently generated by PURPA facilities is produced by burning natural gas, oil and coal. And the ''equitable'' prices imposed on electric utilities purchasing PURPA power are substantially higher than market rates, increasing the cost to consumers by roughly $8 billion annually. Exactly the opposite of what was intended.

The bill I offer today would rescind any requirement for electricity utilities to enter into new agreements to purchase electricity from PURPA facilities. It would not prevent utilities from buying PURPA power that is offered at competitive rates. And it would not affect existing PURPA agreements. Those agreements would remain in effect until they expire, allowing those PURPA facilities to continue selling their electricity to the utilities at the prices specified in the agreements. This approach would ensure that the investment in PURPA facilities can be recouped in accordance with the parties' expectations, but will protect consumers from new PURPA contracts—contracts which force them to pay above market prices for electricity.

This bill would also ensure that the electric utilities that are required to purchase PURPA electricity, possibly for decades to come under existing contracts, have the flexibility to recover those costs.

I urge my colleagues to support this legislation, which is fiscally sound, and is an example of good government because it eliminates outdated and counterproductive legislation.

By Mr. VOINOVICH (for himself and Mr. FEINGOLD):

S. 689. A bill to balance the budget and protect the Social Security Trust Fund surpluses; 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. VOINOVICH. Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

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

S. 689

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Truth in Budgeting and Social Security Protection Act of 2003''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—GENERAL REFORMS

Sec. 101. Extension of the discretionary spending caps.
Sec. 102. Extension of pay-as-you-go requirement.
Sec. 103. Point of order to require compliance with the caps and pay-as-you-go.
Sec. 104. Disclosure of interest costs.
Sec. 105. Executive branch report on fiscal exposures.
Sec. 106. Senate sets 302(b) allocations.
Sec. 107. Long-Term Cost Recognition Point of Order.

TITLE II—REFORM OF BUDGETARY TREATMENT OF FEDERAL INSURANCE PROGRAMS

Sec. 201. Federal insurance programs.

TITLE III—BIENNIAL BUDGETING AND APPROPRIATIONS

Sec. 301. Revision of timetable.
Sec. 302. Amendments to the Congressional Budget and Impoundment Control Act of 1974.
Sec. 303. Amendments to title 31, United States Code.
Sec. 304. Two-year appropriations; title and style of appropriations Acts.
Sec. 305. Multiyear authorizations.
Sec. 306. Government plans on a biennial basis.
Sec. 307. Biennial appropriations bills.
Sec. 308. Report on two-year fiscal period.
Sec. 309. Effective date.

TITLE IV—COMMISSION ON FEDERAL BUDGET CONCEPTS

Sec. 401. Establishment of Commission on Federal Budget Concepts.
Sec. 402. Powers and duties of Commission.
Sec. 403. Membership.
Sec. 404. Staff and support services.
Sec. 405. Report.
Sec. 406. Termination.
Sec. 407. Funding.

TITLE I—GENERAL REFORMS

SEC. 101. EXTENSION OF THE DISCRETIONARY SPENDING CAPS.

(a) IN GENERAL.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by striking paragraphs (7) through (16) and inserting the following:

''(7) with respect to fiscal years 2004 through 2009 an amount equal to the appropriated amount of discretionary spending in budget authority and outlays for fiscal year 2003 adjusted to reflect inflation;''.

(b) EXPIRATION.—Section 275(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 note) is amended by striking subsection (b).

(c) ADDITIONAL ENFORCEMENT.—Section 205(g) of H. Con. Res. 290 (106th Congress) is repealed.

SEC. 102. EXTENSION OF PAY-AS-YOU-GO REQUIREMENT.

Section 252(a) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by striking ''enacted before October 1, 2002,'' both places it appears.

SEC. 103. POINT OF ORDER TO REQUIRE COMPLIANCE WITH THE CAPS AND PAY-AS-YOU-GO.

Section 312(b) of the Congressional Budget Act of 1974 (2 U.S.C. 643(b)) is amended to read as follows:

''(b) DISCRETIONARY SPENDING AND PAY-AS-YOU-GO POINT OF ORDER IN THE SENATE.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, it shall not be in order in the Senate to consider any bill or resolution or any separate provision of a bill or resolution (or amendment, motion, or conference report on that bill or resolution) that would—

''(A) exceed any of the discretionary spending limits in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985; or

''(B) for direct spending or revenue legislation, would cause or increase an on-budget deficit for any one of the following three applicable time periods—

''(i) the first year covered by the most recently adopted concurrent resolution on the budget;

''(ii) the period of the first 5 fiscal years covered by the most recently adopted concurrent resolution on the budget; or

''(iii) the period of the 5 fiscal years following the first five fiscal years covered in the most recently adopted concurrent resolution on the budget.

''(2) POINT OF ORDER AGAINST A SPECIFIC PROVISION.—If the Presiding Officer sustains a point of order under paragraph (1) with respect to any separate provision of a bill or resolution, that provision shall be stricken from the measure and may not be offered as an amendment from the floor.

''(3) FORM OF THE POINT OF ORDER.—A point of order under this section may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

''(4) CONFERENCE REPORTS.—If a point of order is sustained under this section against a conference report the report shall be disposed of as provided in section 313(d) of the Congressional Budget Act of 1974.

''(5) ENFORCEMENT BY THE PRESIDING OFFICER.—In the Senate, if a point of order lies against a bill or resolution (or amendment, motion, or conference report on that bill or resolution) under this section, and no Senator has raised the point of order, and the Senate has not waived the point of order, then before the Senate may vote on the bill or resolution (or amendment, motion, or

conference report on that bill or resolution), the Presiding Officer shall on his or her own motion raise a point of order under this section.

''(6) EXCEPTIONS.—This subsection shall not apply if a declaration of war by the Congress is in effect or if a joint resolution pursuant to section 258 of the Balanced Budget and Emergency Deficit Control Act of 1985 has been enacted.''.

SEC. 104. DISCLOSURE OF INTEREST COSTS.

Section 308(a)(1) of the Congressional Budget Act of 1974 (2 U.S.C. 639(a)(1)) is amended—

(1) in subparagraph (B), by striking ''and'' after the semicolon;

(2) in subparagraph (C), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(D) containing a projection by the Congressional Budget Office of the cost of the debt servicing that would be caused by such measure for such fiscal year (or fiscal years) and each of the 4 ensuing fiscal years.''.

SEC. 105. EXECUTIVE BRANCH REPORT ON FISCAL EXPOSURES.

(a) IN GENERAL.—The President shall submit to the Committees on Appropriations, Budget, Finance, and Governmental Affairs of the Senate, and the Committees on Appropriations, Budget, Government Reform, and Ways and Means of the House of Representatives, not later than 2 weeks before the first Monday in February of each year, a report (in this section referred to as the ''report'') on the fiscal exposures of the United States Federal Government and their implications for long-term financial health. The report shall also be included as part of the Consolidated Financial Statement of the United States Government.

(b) CONTENTS.—

(1) IN GENERAL.—The report shall include fiscal exposures for the following categories of fiscal exposures:

(A) DEBT.—Debt, including—

(i) total gross debt;

(ii) publicly held debt; and

(iii) debt held by Government accounts.

(B) OTHER FINANCIAL LIABILITIES.—Other financial liabilities, including—

(i) civilian and military pensions;

(ii) post-retirement health benefits;

(iii) environmental liabilities;

(iv) accounts payable;

(v) loan guarantees; and

(vi) Social Security benefits due and payable.

(C) FINANCIAL COMMITMENTS.—Financial commitments, including—

(i) undelivered orders; and

(ii) long-term operating leases.

(D) FINANCIAL CONTINGENCIES AND OTHER EXPOSURE.—Financial contingencies and other exposures, including—

(i) unadjudicated claims;

(ii) Federal insurance programs (including both the financial contingency for and risk assumed by such programs);

(iii) net future benefits under Social Security, Medicare Part A, Medicare Part B, and other social insurance programs;

(iv) life cycle costs, including deferred and future maintenance and operating costs associated with operating leases and the maintenance of capital assets;

(v) unfunded portions of incrementally funded capital projects;

(vi) disaster relief; and

(vii) others as deemed appropriate.

(2) ESTIMATES.—Where available, estimates for each exposure should be included. Where reasonable estimates are not available, a range of estimates may be appropriate.

(3) OTHER EXPOSURES.—Exposures that are analogous to those specified in paragraph (1) shall also be included in the exposure categories identified in such paragraph.

(c) FORMAT.—The report shall include a 1-page list of all exposures. Additional disclosures shall include descriptions of exposures, the estimation methodologies and significant assumptions used, and an analysis of the implications of the exposures for the long-term financial outlook. Additional analysis deemed informative may be provided on subsequent pages.

(d) REVIEW WITH CONGRESS.—Following the submission of the report on fiscal exposures to the Senate and the House of Representatives, the Comptroller General shall review and report to the committee reviewing the report on the report, discussing—

(1) the extent to which all required disclosures under this section have been made;

(2) the quality of the cost estimates;

(3) the scope of the information;

(4) the long-range financial outlook; and

(5) any other matters deemed appropriate.

(e) DEFINITIONS.—In this section:

(1) LIABILITIES.—The terms ''liabilities'', ''commitments'', and ''contingencies'' shall be defined in accordance with generally accepted accounting principles and standards of the United States Federal Government.

(2) RISK ASSUMED.—The term ''risk assumed'' means the full portion of the risk premium based on the expected cost of losses inherent in the Government's commitment that is not charged to the insured. For example, the present value of unpaid expected losses net of associated premiums, based on the risk assumed as a result of insurance coverage.

(3) NET FUTURE BENEFIT PAYMENTS.—The term ''net future benefit payments'' means the net present value of negative cashflow. Negative cashflow is to be calculated as the current amount of funds needed to cover projected shortfalls, excluding trust fund balances, over a 75-year period. This estimate should include births during the period and individuals below age 15 as of January 1 of the valuation year.

SEC. 106. SENATE SETS 302(b) ALLOCATIONS.

The Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) is amended—

(1) in section 301(e)(2)(F) (2 U.S.C. 632(e)(2)(F)), by striking ''section 302(a)'' and inserting ''subsections (a) and (b) of section 302''; and

(2) in section 302 (2 U.S.C. 633), by striking subsection (b) and inserting the following:

''(b) SUBALLOCATIONS FOR APPROPRIATIONS COMMITTEE.—The joint explanatory statement accompanying a conference report on a concurrent resolution on the budget shall include suballocations of amounts allocated to the Committees on Appropriations of each amount allocated to those committees under subsection (a) among each of the subcommittees of those committees.''.

SEC. 107. LONG-TERM COST RECOGNITION POINT OF ORDER.

(a) IN GENERAL.—Title III of the Congressional Budget Act of 1974 is amended by adding at the end the following:

''LONG-TERM COST RECOGNITION POINT OF ORDER

''SEC. 318. (a) CONGRESSIONAL BUDGET OFFICE ANALYSIS.—

''(1) IN GENERAL.—CBO shall, in conjunction with the analysis required by section 402, prepare and submit to the Committees on the Budget of the House of Representatives and Senate a report on each bill, joint resolution, amendment, motion, or conference report reported by any committee of the House of Representatives or the Senate that contains any cost drivers that CBO concludes are likely to have the effect of increasing the cost path of that measure such that the estimated discounted cash flows of the measure in the 10 years following the 10th year after the measure takes effect would be 150 percent or greater of the level of the estimated discounted cash flows of the measure at the end of the 10 years following the enactment of the measure.

''(2) PROJECTIONS.—Where possible, CBO should use existing long-term projections of cost drivers prepared by the appropriate Federal agency.

''(3) LIMIT.—Nothing in this section requires CBO to develop cost estimates for a measure beyond the 10th year after the measure takes effect.

''(b) COST DRIVERS.—Cost drivers CBO shall consider under subsection (a) include—

''(1) demographic changes;

''(2) new technologies; and

''(3) environmental factors.

''(c) POINT OF ORDER.—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report that CBO determines will increase the level of the estimated discounted cash flows of that measure as reported in subsection (a) by 150 percent or more.''.

TITLE II—REFORM OF BUDGETARY TREATMENT OF FEDERAL INSURANCE PROGRAMS

SEC. 201. FEDERAL INSURANCE PROGRAMS.

(a) IN GENERAL.—The Congressional Budget Act of 1974 is amended by adding after title V the following new title:

"TITLE VI—BUDGETARY TREATMENT OF FEDERAL INSURANCE PROGRAMS

"SEC. 601. SHORT TITLE.

''This title may be cited as the 'Federal Insurance Budgeting Act of 2003'.

"SEC. 602. BUDGETARY TREATMENT.

''(a) PRESIDENT'S BUDGET.—Beginning with fiscal year 2008, the budget of the Government submitted pursuant to section 1105(a) of title 31, United States Code, shall be based on the risk-assumed cost of Federal insurance programs.

''(b) BUDGET ACCOUNTING.—For any Federal insurance program—

''(1) the program account shall—

''(A) pay the risk-assumed cost borne by taxpayers to the financing account; and

''(B) pay actual insurance program administrative costs; and

''(2) the financing account shall—

''(A) receive premiums and other income;

''(B) pay all claims for insurance and receive all recoveries; and

''(C) transfer to the program account on not less than an annual basis amounts necessary to pay insurance program administrative costs; and

''(3) a negative risk-assumed cost shall be transferred from the financing account to the program account, and shall be transferred from the program account to the general fund;

''(4) all payments by or receipts of the financing accounts shall be treated in the budget as a means of financing.

''(c) APPROPRIATIONS REQUIRED.—(1) Notwithstanding any other provision of law, insurance commitments may be made for fiscal year 2006 and thereafter only to the extent that new budget authority to cover their risk-assumed cost is provided in advance in an appropriation Act.

''(2) An outstanding insurance commitment shall not be modified in a manner that increases its risk-assumed cost unless budget authority for the additional cost has been provided in advance.

''(3) Paragraph (1) shall not apply to Federal insurance programs that constitute entitlements.

''(d) REESTIMATES.—

''(1) IN GENERAL.—The risk-assumed cost for a fiscal year shall be reestimated in each subsequent year. Such reestimate can equal

zero. In the case of a positive reestimate, the amount of the reestimate shall be paid from the program account to the financing account. In the case of a negative reestimate, the amount of the reestimate shall be paid from the financing account to the program account, and shall be transferred from the program account to the general fund. Reestimates shall be displayed as a distinct and separately identified subaccount in the program account.

''(2) APPROPRIATIONS.—There are appropriated such sums as are necessary to fund a positive reestimate under paragraph (1).

''(e) ADMINISTRATIVE EXPENSES.—All funding for an agency's administration of a Federal insurance program shall be displayed as a distinct and separately identified subaccount in the program account.

''SEC. 603. TIMETABLE FOR IMPLEMENTATION OF ACCRUAL BUDGETING FOR FEDERAL INSURANCE PROGRAMS.

''(a) AGENCY REQUIREMENTS.—Agencies with responsibility for Federal insurance programs shall develop models to estimate their risk-assumed cost by year through the budget horizon and shall submit those models, all relevant data, a justification for critical assumptions, and the annual projected risk-assumed costs to OMB with their budget requests each year starting with the request for fiscal year 2005. Agencies will likewise provide OMB with annual estimates of modifications, if any, and reestimates of program costs.

''(b) DISCLOSURE.—When the President submits a budget of the Government pursuant to section 1105(a) of title 31, United States Code, for fiscal year 2005, OMB shall publish a notice in the Federal Register advising interested persons of the availability of information describing the models, data (including sources), and critical assumptions (including explicit or implicit discount rate assumptions) that it or other executive branch entities would use to estimate the risk-assumed cost of Federal insurance programs and giving such persons an opportunity to submit comments. At the same time, the chairman of the Committee on the Budget shall publish a notice for CBO in the Federal Register advising interested persons of the availability of information describing the models, data (including sources), and critical assumptions (including explicit or implicit discount rate assumptions) that it would use to estimate the risk-assumed cost of Federal insurance programs and giving such interested persons an opportunity to submit comments.

''(c) REVISION.—After consideration of comments pursuant to subsection (b), and in consultation with the Committees on the Budget of the House of Representatives and the Senate, OMB and CBO shall revise the models, data, and major assumptions they would use to estimate the risk-assumed cost of Federal insurance programs.

''(d) DISPLAY.—

''(1) IN GENERAL.—For fiscal years 2005, 2006, and 2007 the budget submissions of the President pursuant to section 1105(a) of title 31, United States Code, and CBO's reports on the economic and budget outlook pursuant to section 202(e)(1) and the President's budgets, shall for display purposes only, estimate the risk-assumed cost of existing or proposed Federal insurance programs.

''(2) OMB.—The display in the budget submissions of the President for fiscal years 2005, 2006, and 2007 shall include—

''(A) a presentation for each Federal insurance program in budget-account level detail of estimates of risk-assumed cost;

''(B) a summary table of the risk-assumed costs of Federal insurance programs; and

''(C) an alternate summary table of budget functions and aggregates using risk-assumed rather than cash-based cost estimates for Federal insurance programs.

''(3) CBO.—In the second session of the 108th Congress and the 109th Congress, CBO shall include in its estimates under section 308, for display purposes only, the risk-assumed cost of existing Federal insurance programs, or legislation that CBO, in consultation with the Committees on the Budget of the House of Representatives and the Senate, determines would create a new Federal insurance program.

''(e) OMB, CBO, AND GAO EVALUATIONS.—(1) Not later than 6 months after the budget submission of the President pursuant to section 1105(a) of title 31, United States Code, for fiscal year 2007, OMB, CBO, and GAO shall each submit to the Committees on the Budget of the House of Representatives and the Senate a report that evaluates the advisability and appropriate implementation of this title.

''(2) Each report made pursuant to paragraph (1) shall address the following:

''(A) The adequacy of risk-assumed estimation models used and alternative modeling methods.

''(B) The availability and reliability of data or information necessary to carry out this title.

''(C) The appropriateness of the explicit or implicit discount rate used in the various risk-assumed estimation models.

''(D) The advisability of specifying a statutory discount rate (such as the Treasury rate) for use in risk-assumed estimation models.

''(E) The ability of OMB, CBO, or GAO, as applicable, to secure any data or information directly from any Federal agency necessary to enable it to carry out this title.

''(F) The relationship between risk-assumed accrual budgeting for Federal insurance programs and the specific requirements of the Balanced Budget and Emergency Deficit Control Act of 1985.

''(G) Whether Federal budgeting is improved by the inclusion of risk-assumed cost estimates for Federal insurance programs.

''(H) The advisability of including each of the programs currently estimated on a risk-assumed cost basis in the Federal budget on that basis.

''SEC. 604. DEFINITIONS.

''For purposes of this title:

''(1) The term 'Federal insurance program' means a program that makes insurance commitments and includes the list of such programs as to be defined by the budget concepts commission, as required by title IV of the Truth in Budgeting and Social Security Protection Act of 2003.

''(2) The term 'insurance commitment' means an agreement in advance by a Federal agency to indemnify a non-Federal entity against specified losses. This term does not include loan guarantees as defined in title V or benefit programs such as social security, medicare, and similar existing social insurance programs.

''(3)(A) The term 'risk-assumed cost' means the net present value of the estimated cash flows to and from the Government resulting from an insurance commitment or modification thereof.

''(B) The cash flows associated with an insurance commitment include—

''(i) expected claims payments inherent in the Government's commitment;

''(ii) net premiums (expected premium collections received from or on behalf of the insured less expected administrative expenses);

''(iii) expected recoveries; and

''(iv) expected changes in claims, premiums, or recoveries resulting from the exercise by the insured of any option included in the insurance commitment.

''(C) The cost of a modification is the difference between the current estimate of the net present value of the remaining cash flows under the terms of the insurance commitment, and the current estimate of the net present value of the remaining cash flows under the terms of the insurance commitment as modified.

''(D) The cost of a reestimate is the difference between the net present value of the amount currently required by the financing account to pay estimated claims and other expenditures and the amount currently available in the financing account. The cost of a reestimate shall be accounted for in the current year in the budget of the Government submitted pursuant to section 1105(a) of title 31, United States Code.

''(E) For purposes of this definition, expected administrative expenses shall be construed as the amount estimated to be necessary for the proper administration of the insurance program. This amount may differ from amounts actually appropriated or otherwise made available for the administration of the program.

''(4) The term 'program account' means the budget account for the risk-assumed cost, and for paying all costs of administering the insurance program, and is the account from which the risk-assumed cost is disbursed to the financing account.

''(5) The term 'financing account' means the nonbudget account that is associated with each program account which receives payments from or makes payments to the program account, receives premiums and other payments from the public, pays insurance claims, and holds balances.

''(6) The term 'modification' means any Government action that alters the risk-assumed cost of an existing insurance commitment from the current estimate of cash flows. This includes any action resulting from new legislation, or from the exercise of administrative discretion under existing law, that directly or indirectly alters the estimated cost of existing insurance commitments.

''(7) The term 'model' means any actuarial, financial, econometric, probabilistic, or other methodology used to estimate the expected frequency and magnitude of loss-producing events, expected premiums or collections from or on behalf of the insured, expected recoveries, and administrative expenses.

''(8) The term 'current' has the same meaning as in section 250(c)(9) of the Balanced Budget and Emergency Deficit Control Act of 1985.

''(9) The term 'OMB' means the Director of the Office of Management and Budget.

''(10) The term 'CBO' means the Director of the Congressional Budget Office.

''(11) The term 'GAO' means the Comptroller General of the United States.

''SEC. 605. AUTHORIZATIONS TO ENTER INTO CONTRACTS; ACTUARIAL COST ACCOUNT.

''(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $600,000 for each of fiscal years 2004 through 2009 to the Director of the Office of Management and Budget and each agency responsible for administering a Federal program to carry out this title.

''(b) TREASURY TRANSACTIONS WITH THE FINANCING ACCOUNTS.—The Secretary of the Treasury shall borrow from, receive from, lend to, or pay the insurance financing accounts such amounts as may be appropriate. The Secretary of the Treasury may prescribe forms and denominations, maturities, and terms and conditions for the transactions described above. The authorities described above shall not be construed to supersede or

override the authority of the head of a Federal agency to administer and operate an insurance program. All the transactions provided in this subsection shall be subject to the provisions of subchapter II of chapter 15 of title 31, United States Code. Cash balances of the financing accounts in excess of current requirements shall be maintained in a form of uninvested funds, and the Secretary of the Treasury shall pay interest on these funds.

''(c) APPROPRIATION OF AMOUNT NECESSARY TO COVER RISK-ASSUMED COST OF INSURANCE COMMITMENTS AT TRANSITION DATE.—(1) A financing account is established on September 30, 2007, for each Federal insurance program.

''(2) There is appropriated to each financing account the amount of the risk-assumed cost of Federal insurance commitments outstanding for that program as of the close of September 30, 2007.

''(3) These financing accounts shall be used in implementing the budget accounting required by this title.

''SEC. 606. EFFECTIVE DATE.

''(a) IN GENERAL.—This title shall take effect immediately and shall expire on September 30, 2009.

''(b) SPECIAL RULE.—If this title is not reauthorized by September 30, 2009, then the accounting structure and budgetary treatment of Federal insurance programs shall revert to the accounting structure and budgetary treatment in effect immediately before the date of enactment of this title.''.

(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 507 the following new items:

''TITLE VI—BUDGETARY TREATMENT OF FEDERAL INSURANCE PROGRAMS

''Sec. 601. Short title.
''Sec. 602. Budgetary treatment.
''Sec. 603. Timetable for implementation of accrual budgeting for Federal insurance programs.
''Sec. 604. Definitions.
''Sec. 605. Authorizations to enter into contracts; actuarial cost account.
''Sec. 606. Effective date.''.

TITLE III—BIENNIAL BUDGETING AND APPROPRIATIONS

SEC. 301. REVISION OF TIMETABLE.

Section 300 of the Congressional Budget Act of 1974 (2 U.S.C. 631) is amended to read as follows:

''TIMETABLE

''SEC. 300. (a) IN GENERAL.—Except as provided by subsection (b), the timetable with respect to the congressional budget process for any Congress (beginning with the One Hundred Eighth Congress) is as follows:

''First Session

''On or before:	Action to be completed:
..... First Monday in February.	President submits budget recommendations.
..... February 15	Congressional Budget Office submits report to Budget Committees.
..... Not later than 6 weeks after budget submission.	Committees submit views and estimates to Budget Committees.

''First Session—Continued

..... April 1	Budget Committees report concurrent resolution on the biennial budget.
..... May 15	Congress completes action on concurrent resolution on the biennial budget.
..... May 15	Biennial appropriation bills may be considered in the House.
..... June 10	House Appropriations Committee reports last biennial appropriation bill.
..... June 30	House completes action on biennial appropriation bills.
..... August 1	Congress completes action on reconciliation legislation.
..... October 1	Biennium begins.

''Second Session

''On or before:	Action to be completed:
..... February 15	President submits budget review.
..... Not later than 6 weeks after President submits budget review.	Congressional Budget Office submits report to Budget Committees.
..... The last day of the session.	Congress completes action on bills and resolutions authorizing new budget authority for the succeeding biennium.

''(b) SPECIAL RULE.—In the case of any first session of Congress that begins in any year immediately following a leap year and during which the term of a President (except a President who succeeds himself) begins, the following dates shall supersede those set forth in subsection (a):

''First Session

''On or before:	Action to be completed:
..... First Monday in April.	President submits budget recommendations.
..... April 20	Committees submit views and estimates to Budget Committees.
..... May 15	Budget Committees report concurrent resolution on the biennial budget.

''First Session—Continued

..... June 1	Congress completes action on concurrent resolution on the biennial budget.
..... July 1	Biennial appropriation bills may be considered in the House.
..... July 20	House completes action on biennial appropriation bills.
..... August 1	Congress completes action on reconciliation legislation.
..... October 1	Biennium begins.''.

SEC. 302. AMENDMENTS TO THE CONGRESSIONAL BUDGET AND IMPOUNDMENT CONTROL ACT OF 1974.

(a) DECLARATION OF PURPOSE.—Section 2(2) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621(2)) is amended by striking ''each year'' and inserting ''biennially''.

(b) DEFINITIONS.—

(1) BUDGET RESOLUTION.—Section 3(4) of such Act (2 U.S.C. 622(4)) is amended by striking ''fiscal year'' each place it appears and inserting ''biennium''.

(2) BIENNIUM.—Section 3 of such Act (2 U.S.C. 622) is further amended by adding at the end the following new paragraph:

''(11) The term 'biennium' means the period of 2 consecutive fiscal years beginning on October 1 of any odd-numbered year.''.

(c) BIENNIAL CONCURRENT RESOLUTION ON THE BUDGET.—

(1) CONTENTS OF RESOLUTION.—Section 301(a) of such Act (2 U.S.C. 632(a)) is amended—

(A) in the matter preceding paragraph (1) by—

(i) striking ''April 15 of each year'' and inserting ''May 15 of each odd-numbered year'';

(ii) striking ''the fiscal year beginning on October 1 of such year'' the first place it appears and inserting ''the biennium beginning on October 1 of such year''; and

(iii) striking ''the fiscal year beginning on October 1 of such year'' the second place it appears and inserting ''each fiscal year in such period'';

(B) in paragraph (6), by striking ''for the fiscal year'' and inserting ''for each fiscal year in the biennium''; and

(C) in paragraph (7), by striking ''for the first fiscal year'' and inserting ''for each fiscal year in the biennium''.

(2) ADDITIONAL MATTERS.—Section 301(b)(3) of such Act (2 U.S.C. 632(b)) is amended by striking ''for such fiscal year'' and inserting ''for either fiscal year in such biennium''.

(3) VIEWS OF OTHER COMMITTEES.—Section 301(d) of such Act (2 U.S.C. 632(d)) is amended by inserting ''(or, if applicable, as provided by section 300(b))'' after ''United States Code''.

(4) HEARINGS.—Section 301(e)(1) of such Act (2 U.S.C. 632(e)) is amended by—

(A) striking ''fiscal year'' and inserting ''biennium''; and

(B) inserting after the second sentence the following: ''On or before April 1 of each odd-numbered year (or, if applicable, as provided by section 300(b)), the Committee on the Budget of each House shall report to its House the concurrent resolution on the budget referred to in subsection (a) for the biennium beginning on October 1 of that year.''.

(5) GOALS FOR REDUCING UNEMPLOYMENT.—Section 301(f) of such Act (2 U.S.C. 632(f)) is amended by striking ''fiscal year'' each place it appears and inserting ''biennium''.

(6) ECONOMIC ASSUMPTIONS.—Section 301(g)(1) of such Act (2 U.S.C. 632(g)(1)) is amended by striking ''for a fiscal year'' and inserting ''for a biennium''.

(7) SECTION HEADING.—The section heading of section 301 of such Act is amended by striking ''**ANNUAL**'' and inserting ''**BIENNIAL**''.

(8) TABLE OF CONTENTS.—The item relating to section 301 in the table of contents set forth in section 1(b) of such Act is amended by striking ''Annual'' and inserting ''Biennial''.

(d) COMMITTEE ALLOCATIONS.—Section 302 of such Act (2 U.S.C. 633) is amended—

(1) in subsection (a)(1) by—

(A) striking ''for the first fiscal year of the resolution,'' and inserting ''for each fiscal year in the biennium,'';

(B) striking ''for that period of fiscal years'' and inserting ''for all fiscal years covered by the resolution''; and

(C) striking ''for the fiscal year of that resolution'' and inserting ''for each fiscal year in the biennium'';

(2) in subsection (f)(1), by striking ''for a fiscal year'' and inserting ''for a biennium'';

(3) in subsection (f)(1), by striking ''first fiscal year'' and inserting ''each fiscal year of the biennium'';

(4) in subsection (f)(2)(A), by—

(A) striking ''first fiscal year'' and inserting ''each fiscal year of the biennium''; and

(B) striking ''the total of fiscal years'' and inserting ''the total of all fiscal years covered by the resolution''; and

(5) in subsection (g)(1)(A), by striking ''April'' and inserting ''May''.

(e) SECTION 303 POINT OF ORDER.—

(1) IN GENERAL.—Section 303(a) of such Act (2 U.S.C. 634(a)) is amended by striking ''first fiscal year'' and inserting ''each fiscal year of the biennium''.

(2) EXCEPTIONS IN THE HOUSE.—Section 303(b)(1) of such Act (2 U.S.C. 634(b)) is amended—

(A) in subparagraph (A), by striking ''the budget year'' and inserting ''the biennium''; and

(B) in subparagraph (B), by striking ''the fiscal year'' and inserting ''the biennium''.

(3) APPLICATION TO THE SENATE.—Section 303(c)(1) of such Act (2 U.S.C. 634(c)) is amended by—

(A) striking ''fiscal year'' and inserting ''biennium''; and

(B) striking ''that year'' and inserting ''each fiscal year of that biennium''.

(f) PERMISSIBLE REVISIONS OF CONCURRENT RESOLUTIONS ON THE BUDGET.—Section 304(a) of such Act (2 U.S.C. 635) is amended—

(1) by striking ''fiscal year'' the first two places it appears and inserting ''biennium'';

(2) by striking ''for such fiscal year''; and

(3) by inserting before the period ''for such biennium''.

(g) PROCEDURES FOR CONSIDERATION OF BUDGET RESOLUTIONS.—Section 305(a)(3) of such Act (2 U.S.C. 636(b)(3)) is amended by striking ''fiscal year'' and inserting ''biennium''.

(h) COMPLETION OF HOUSE ACTION ON APPROPRIATION BILLS.—Section 307 of such Act (2 U.S.C. 638) is amended—

(1) by striking ''each year'' and inserting ''each odd-numbered year'';

(2) by striking ''annual'' and inserting ''biennial'';

(3) by striking ''fiscal year'' and inserting ''biennium''; and

(4) by striking ''that year'' and inserting ''each odd-numbered year''.

(i) COMPLETION OF ACTION ON REGULAR APPROPRIATION BILLS.—Section 309 of such Act (2 U.S.C. 640) is amended—

(1) by inserting ''of any odd-numbered calendar year'' after ''July'';

(2) by striking ''annual'' and inserting ''biennial''; and

(3) by striking ''fiscal year'' and inserting ''biennium''.

(j) RECONCILIATION PROCESS.—Section 310(a) of such Act (2 U.S.C. 641(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''any fiscal year'' and inserting ''any biennium''; and

(2) in paragraph (1) by striking ''such fiscal year'' each place it appears and inserting ''any fiscal year covered by such resolution''.

(k) SECTION 311 POINT OF ORDER.—

(1) IN THE HOUSE.—Section 311(a)(1) of such Act (2 U.S.C. 642(a)) is amended—

(A) by striking ''for a fiscal year'' and inserting ''for a biennium'';

(B) by striking ''the first fiscal year'' each place it appears and inserting ''either fiscal year of the biennium''; and

(C) by striking ''that first fiscal year'' and inserting ''each fiscal year in the biennium''.

(2) IN THE SENATE.—Section 311(a)(2) of such Act is amended—

(A) in subparagraph (A), by striking ''for the first fiscal year'' and inserting ''for either fiscal year of the biennium''; and

(B) in subparagraph (B)—

(i) by striking ''that first fiscal year'' the first place it appears and inserting ''each fiscal year in the biennium''; and

(ii) by striking ''that first fiscal year and the ensuing fiscal years'' and inserting ''all fiscal years''.

(3) SOCIAL SECURITY LEVELS.—Section 311(a)(3) of such Act is amended by—

(A) striking ''for the first fiscal year'' and inserting ''each fiscal year in the biennium''; and

(B) striking ''that fiscal year and the ensuing fiscal years'' and inserting ''all fiscal years''.

(l) MDA POINT OF ORDER.—Section 312(c) of the Congressional Budget Act of 1974 (2 U.S.C. 643) is amended—

(1) by striking ''for a fiscal year'' and inserting ''for a biennium'';

(2) in paragraph (1), by striking ''first fiscal year'' and inserting ''either fiscal year in the biennium'';

(3) in paragraph (2), by striking ''that fiscal year'' and inserting ''either fiscal year in the biennium''; and

(4) in the matter following paragraph (2), by striking ''that fiscal year'' and inserting ''the applicable fiscal year''.

SEC. 303. AMENDMENTS TO TITLE 31, UNITED STATES CODE.

(a) DEFINITION.—Section 1101 of title 31, United States Code, is amended by adding at the end thereof the following new paragraph:

''(3) 'biennium' has the meaning given to such term in paragraph (11) of section 3 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(11)).''.

(b) BUDGET CONTENTS AND SUBMISSION TO THE CONGRESS.—

(1) SCHEDULE.—The matter preceding paragraph (1) in section 1105(a) of title 31, United States Code, is amended to read as follows:

''(a) On or before the first Monday in February of each odd-numbered year (or, if applicable, as provided by section 300(b) of the Congressional Budget Act of 1974), beginning with the One Hundred Seventh Congress, the President shall transmit to the Congress, the budget for the biennium beginning on October 1 of such calendar year. The budget transmitted under this subsection shall include a budget message and summary and supporting information. The President shall include in each budget the following:''.

(2) EXPENDITURES.—Section 1105(a)(5) of title 31, United States Code, is amended by striking ''the fiscal year for which the budget is submitted and the 4 fiscal years after that year'' and inserting ''each fiscal year in the biennium for which the budget is submitted and in the succeeding 4 years''.

(3) RECEIPTS.—Section 1105(a)(6) of title 31, United States Code, is amended by striking ''the fiscal year for which the budget is submitted and the 4 fiscal years after that year'' and inserting ''each fiscal year in the biennium for which the budget is submitted and in the succeeding 4 years''.

(4) BALANCE STATEMENTS.—Section 1105(a)(9)(C) of title 31, United States Code, is amended by striking ''the fiscal year'' and inserting ''each fiscal year in the biennium''.

(5) FUNCTIONS AND ACTIVITIES.—Section 1105(a)(12) of title 31, United States Code, is amended in subparagraph (A), by striking ''the fiscal year'' and inserting ''each fiscal year in the biennium''.

(6) ALLOWANCES.—Section 1105(a)(13) of title 31, United States Code, is amended by striking ''the fiscal year'' and inserting ''each fiscal year in the biennium''.

(7) ALLOWANCES FOR UNCONTROLLED EXPENDITURES.—Section 1105(a)(14) of title 31, United States Code, is amended by striking ''that year'' and inserting ''each fiscal year in the biennium for which the budget is submitted''.

(8) TAX EXPENDITURES.—Section 1105(a)(16) of title 31, United States Code, is amended by striking ''the fiscal year'' and inserting ''each fiscal year in the biennium''.

(9) FUTURE YEARS.—Section 1105(a)(17) of title 31, United States Code, is amended—

(A) by striking ''the fiscal year following the fiscal year'' and inserting ''each fiscal year in the biennium following the biennium'';

(B) by striking ''that following fiscal year'' and inserting ''each such fiscal year''; and

(C) by striking ''fiscal year before the fiscal year'' and inserting ''biennium before the biennium''.

(10) PRIOR YEAR OUTLAYS.—Section 1105(a)(18) of title 31, United States Code, is amended—

(A) by striking ''the prior fiscal year'' and inserting ''each of the 2 most recently completed fiscal years,'';

(B) by striking ''for that year'' and inserting ''with respect to those fiscal years''; and

(C) by striking ''in that year'' and inserting ''in those fiscal years''.

(11) PRIOR YEAR RECEIPTS.—Section 1105(a)(19) of title 31, United States Code, is amended—

(A) by striking ''the prior fiscal year'' and inserting ''each of the 2 most recently completed fiscal years'';

(B) by striking ''for that year'' and inserting ''with respect to those fiscal years''; and

(C) by striking ''in that year'' each place it appears and inserting ''in those fiscal years''.

(c) ESTIMATED EXPENDITURES OF LEGISLATIVE AND JUDICIAL BRANCHES.—Section 1105(b) of title 31, United States Code, is amended by striking ''each year'' and inserting ''each even-numbered year''.

(d) RECOMMENDATIONS TO MEET ESTIMATED DEFICIENCIES.—Section 1105(c) of title 31, United States Code, is amended—

(1) by striking ''the fiscal year for'' the first place it appears and inserting ''each fiscal year in the biennium for'';

(2) by striking ''the fiscal year for'' the second place it appears and inserting ''each fiscal year of the biennium, as the case may be,''; and

(3) by striking ''that year'' and inserting ''for each year of the biennium''.

(e) CAPITAL INVESTMENT ANALYSIS.—Section 1105(e)(1) of title 31, United States Code, is amended by striking ''ensuing fiscal year'' and inserting ''biennium to which such budget relates''.

(f) SUPPLEMENTAL BUDGET ESTIMATES AND CHANGES.—

(1) IN GENERAL.—Section 1106(a) of title 31, United States Code, is amended—

(A) in the matter preceding paragraph (1), by—

(i) striking ''Before July 16 of each year,'' and inserting ''Before February 15 of each even numbered year,''; and

(ii) striking ''fiscal year'' and inserting ''biennium'';

(B) in paragraph (1), by striking ''that fiscal year'' and inserting ''each fiscal year in such biennium'';

(C) in paragraph (2), by striking ''4 fiscal years following the fiscal year'' and inserting ''4 fiscal years following the biennium''; and

(D) in paragraph (3), by striking ''fiscal year'' and inserting ''biennium''.

(2) CHANGES.—Section 1106(b) of title 31, United States Code, is amended by—

(A) striking ''the fiscal year'' and inserting ''each fiscal year in the biennium'';

(B) striking ''April 11 and July 16 of each year'' and inserting ''February 15 of each even-numbered year''; and

(C) striking ''July 16'' and inserting ''February 15 of each even-numbered year.''.

(g) CURRENT PROGRAMS AND ACTIVITIES ESTIMATES.—

(1) IN GENERAL.—Section 1109(a) of title 31, United States Code, is amended—

(A) by striking ''On or before the first Monday after January 3 of each year (on or before February 5 in 1986)'' and inserting ''At the same time the budget required by section 1105 is submitted for a biennium''; and

(B) by striking ''the following fiscal year'' and inserting ''each fiscal year of such period''.

(2) JOINT ECONOMIC COMMITTEE.—Section 1109(b) of title 31, United States Code, is amended by striking ''March 1 of each year'' and inserting ''within 6 weeks of the President's budget submission for each odd-numbered year (or, if applicable, as provided by section 300(b) of the Congressional Budget Act of 1974)''.

(h) YEAR-AHEAD REQUESTS FOR AUTHORIZING LEGISLATION.—Section 1110 of title 31, United States Code, is amended by—

(1) striking ''May 16'' and inserting ''March 31''; and

(2) striking ''year before the year in which the fiscal year begins'' and inserting ''calendar year preceding the calendar year in which the biennium begins''.

SEC. 304. TWO-YEAR APPROPRIATIONS; TITLE AND STYLE OF APPROPRIATIONS ACTS.

Section 105 of title 1, United States Code, is amended to read as follows:

''§ 105. Title and style of appropriations Acts

''(a) The style and title of all Acts making appropriations for the support of the Government shall be as follows: 'An Act making appropriations (here insert the object) for each fiscal year in the biennium of fiscal years (here insert the fiscal years of the biennium).'.

''(b) All Acts making regular appropriations for the support of the Government shall be enacted for a biennium and shall specify the amount of appropriations provided for each fiscal year in such period.

''(c) For purposes of this section, the term 'biennium' has the same meaning as in section 3(11) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(11)).''.

SEC. 305. MULTIYEAR AUTHORIZATIONS.

(a) IN GENERAL.—Title III of the Congressional Budget Act of 1974 is amended by adding at the end the following new section:

''AUTHORIZATIONS OF APPROPRIATIONS

''SEC. 319. (a) POINT OF ORDER.—It shall not be in order in the House of Representatives or the Senate to consider—

''(1) any bill, joint resolution, amendment, motion, or conference report that authorizes appropriations for a period of less than 2 fiscal years, unless the program, project, or activity for which the appropriations are authorized will require no further appropriations and will be completed or terminated after the appropriations have been expended; and

''(2) in any odd-numbered year, any authorization or revenue bill or joint resolution until Congress completes action on the biennial budget resolution, all regular biennial appropriations bills, and all reconciliation bills.

''(b) APPLICABILITY.—In the Senate, subsection (a) shall not apply to—

''(1) any measure that is privileged for consideration pursuant to a rule or statute;

''(2) any matter considered in Executive Session; or

''(3) an appropriations measure or reconciliation bill.''.

(b) AMENDMENT TO TABLE OF CONTENTS.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by adding after the item relating to section 313 the following new item:

''Sec. 319. Authorizations of appropriations.''.

SEC. 306. GOVERNMENT PLANS ON A BIENNIAL BASIS.

(a) STRATEGIC PLANS.—Section 306 of title 5, United States Code, is amended—

(1) in subsection (a), by striking ''September 30, 1997'' and inserting ''September 30, 2003'';

(2) in subsection (b)—

(A) by striking ''at least every three years'' and inserting ''at least every 4 years''; and

(B) by striking ''five years forward'' and inserting ''six years forward''; and

(3) in subsection (c), by inserting a comma after ''section'' the second place it appears and adding ''including a strategic plan submitted by September 30, 2003 meeting the requirements of subsection (a)''.

(b) BUDGET CONTENTS AND SUBMISSION TO CONGRESS.—Paragraph (28) of section 1105(a) of title 31, United States Code, is amended by striking ''beginning with fiscal year 1999, a'' and inserting ''beginning with fiscal year 2004, a biennial''.

(c) PERFORMANCE PLANS.—Section 1115 of title 31, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter before paragraph (1)—

(i) by striking ''section 1105(a)(29)'' and inserting ''section 1105(a)(28)''; and

(ii) by striking ''an annual'' and inserting ''a biennial'';

(B) in paragraph (1) by inserting after ''program activity'' the following: ''for both years 1 and 2 of the biennial plan'';

(C) in paragraph (5) by striking ''and'' after the semicolon,

(D) in paragraph (6) by striking the period and inserting a semicolon; and inserting ''and'' after the inserted semicolon; and

(E) by adding after paragraph (6) the following:

''(7) cover a 2-year period beginning with the first fiscal year of the next biennial budget cycle.'';

(2) in subsection (d) by striking ''annual'' and inserting ''biennial''; and

(3) in paragraph (6) of subsection (f) by striking ''annual'' and inserting ''biennial''.

(d) MANAGERIAL ACCOUNTABILITY AND FLEXIBILITY.—Section 9703 of title 31, United States Code, relating to managerial accountability, is amended—

(1) in subsection (a)—

(A) in the first sentence by striking ''annual''; and

(B) by striking ''section 1105(a)(29)'' and inserting ''section 1105(a)(28)'';

(2) in subsection (e)—

(A) in the first sentence by striking ''one or'' before ''years'';

(B) in the second sentence by striking ''a subsequent year'' and inserting ''for a subsequent 2-year period''; and

(C) in the third sentence by striking ''three'' and inserting ''four''.

(e) PILOT PROJECTS FOR PERFORMANCE BUDGETING.—Section 1119 of title 31, United States Code, is amended—

(1) in paragraph (1) of subsection (d), by striking ''annual'' and inserting ''biennial''; and

(2) in subsection (e), by striking ''annual'' and inserting ''biennial''.

(f) STRATEGIC PLANS.—Section 2802 of title 39, United States Code, is amended—

(1) is subsection (a), by striking ''September 30, 1997'' and inserting ''September 30, 2003'';

(2) in subsection (b), by striking ''at least every three years'' and inserting ''at least every 4 years'';

(3) by striking ''five years forward'' and inserting ''six years forward''; and

(4) in subsection (c), by inserting a comma after ''section'' the second place it appears and inserting ''including a strategic plan submitted by September 30, 2003 meeting the requirements of subsection (a)''.

(g) PERFORMANCE PLANS.—Section 2803(a) of title 39, United States Code, is amended—

(1) in the matter before paragraph (1), by striking ''an annual'' and inserting ''a biennial'';

(2) in paragraph (1), by inserting after ''program activity'' the following: ''for both years 1 and 2 of the biennial plan'';

(3) in paragraph (5), by striking ''and'' after the semicolon;

(4) in paragraph (6), by striking the period and inserting ''; and''; and

(5) by adding after paragraph (6) the following:

''(7) cover a 2-year period beginning with the first fiscal year of the next biennial budget cycle.''.

(h) COMMITTEE VIEWS OF PLANS AND REPORTS.—Section 301(d) of the Congressional Budget Act (2 U.S.C. 632(d)) is amended by adding at the end ''Each committee of the Senate or the House of Representatives shall review the strategic plans, performance plans, and performance reports, required under section 306 of title 5, United States Code, and sections 1115 and 1116 of title 31, United States Code, of all agencies under the jurisdiction of the committee. Each committee may provide its views on such plans or reports to the Committee on the Budget of the applicable House.''.

(i) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on March 1, 2003.

(2) AGENCY ACTIONS.—Effective on and after the date of enactment of this Act, each agency shall take such actions as necessary to prepare and submit any plan or report in accordance with the amendments made by this Act.

SEC. 307. BIENNIAL APPROPRIATIONS BILLS.

(a) IN GENERAL.—Title III of the Congressional Budget Act of 1974 (2 U.S.C. 631 et seq.) is amended by adding at the end the following:

''CONSIDERATION OF BIENNIAL APPROPRIATIONS BILLS

''SEC. 320. It shall not be in order in the House of Representatives or the Senate in any odd-numbered year to consider any regular bill providing new budget authority or a

limitation on obligations under the jurisdiction of any of the subcommittees of the Committees on Appropriations for only the first fiscal year of a biennium, unless the program, project, or activity for which the new budget authority or obligation limitation is provided will require no additional authority beyond 1 year and will be completed or terminated after the amount provided has been expended.''.

(b) AMENDMENT TO TABLE OF CONTENTS.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by adding after the item relating to section 313 the following new item:

''Sec. 320. Consideration of biennial appropriations bills.''.

SEC. 308. REPORT ON TWO-YEAR FISCAL PERIOD.

Not later than 180 days after the date of enactment of this subpart, the Director of OMB shall—

(1) determine the impact and feasibility of changing the definition of a fiscal year and the budget process based on that definition to a 2-year fiscal period with a biennial budget process based on the 2-year period; and

(2) report the findings of the study to the Committees on the Budget of the House of Representatives and the Senate.

SEC. 309. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in sections 306 and 308 and subsection (b), this title and the amendments made by this title shall take effect on January 1, 2003, and shall apply to budget resolutions and appropriations for the biennium beginning with fiscal year 2004.

(b) AUTHORIZATIONS FOR THE BIENNIUM.—For purposes of authorizations for the biennium beginning with fiscal year 2004, the provisions of this title and the amendments made by this title relating to 2-year authorizations shall take effect January 1, 2003.

TITLE IV—COMMISSION ON FEDERAL BUDGET CONCEPTS

SEC. 401. ESTABLISHMENT OF COMMISSION ON FEDERAL BUDGET CONCEPTS.

There is established a commission to be known as the Commission on Federal Budget Concepts (referred to in this title as the ''Commission'').

SEC. 402. POWERS AND DUTIES OF COMMISSION.

(a) DUTIES OF THE COMMISSION.—

(1) IN GENERAL.—The duties of the Commission shall include—

(A) a review of the 1967 report of the President's Commission on Budget Concepts and assessment of the implementation of the recommendations of that report;

(B) identification and evaluation of the structure, concepts, classifications, and bases of accounting of the Federal budget;

(C) identification of any applicable general accounting principles and practices in the private sector and evaluation of their value to budget practices in the Federal sector;

(D) a report that shall include recommendations for modifications to the structure, concepts, classifications, and bases of accounting of the Federal budget that would enhance the usefulness of the budget for public policy and financial planning.

(2) SPECIFIC AREAS OF CONSIDERATION.—Specific areas for consideration by the Commission shall include the following:

(A) Should part ownership by the Government be sufficient to make an entity Federal and to include it in the budget?

(B) When is Federal control of an entity, including control exercised through Federal regulations, sufficient to cause it to be included in the budget?

(C) Are privately owned assets under long-term leases to the Federal Government effectively purchased by the Government during the lease period?

(D) Should there be an ''off-budget'' section of the budget? How should the Federal Government differentiate between spending and receipts?

(E) Should the total costs of refundable tax credits belong on the spending side of the budget?

(F) When should Federal Reserve earnings be reported as receipts or offsetting receipts (negative spending) in the net interest portion of the budget?

(G) What is a ''user fee'' and under what circumstances is it properly an offset to spending or a governmental receipt? What uses do trust funds have?

(H) Do trust fund balances provide misleading information? Do the roughly 200 trust funds add clarity or confusion to the budget process?

(I) Are there better ways than trust fund accounting to identify long-term liabilities?

(J) Should accrual budgetary accounting be adopted for Federal retirement, military retirement, or Social Security and other entitlements?

(K) Are off-budget accounts suitable for capturing accruals in the budget?

(L) What is the appropriate budgetary treatment of—

(i) purchases and sales of financial assets, including equities, bonds, and foreign currencies;

(ii) emergency spending;

(iii) the cost of holding fixed assets (cost of capital);

(iv) sales of physical assets; and

(v) seigniorage on coins and currency?

(M) When policy changes have strong but indirect feedback effects on revenues and other aggregates, should they be reported in budget estimates?

(N) How should the policies that are one-sided bets on economic events (probabilistic scoring) be represented in the budget?

(b) POWERS OF THE COMMISSION.—

(1) CONDUCT OF BUSINESS.—The Commission may hold hearings, take testimony, receive evidence, and undertake such other activities necessary to carry out its duties.

(2) ACCESS TO INFORMATION.—The Commission may secure directly from any department or agency of the United States information necessary to carry out its duties. Upon request of the Chair of the Commission, the head of that department or agency shall furnish that information to the Commission.

(3) POSTAL SERVICE.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

SEC. 403. MEMBERSHIP.

(a) MEMBERSHIP.—The Commission shall be composed of 12 members as follows:

(1) Three members appointed by the chairman of the Committee on the Budget of the Senate.

(2) Three members appointed by the chairman of the Committee on the Budget of the House of Representatives.

(3) Three members appointed by the ranking member of the Committee on the Budget of the Senate.

(4) Three members appointed by the ranking member of the Committee on the Budget of the House of Representatives.

(b) QUALIFICATIONS AND TERM.—

(1) QUALIFICATIONS.—Members appointed to the Commission pursuant to subsection (a) shall—

(A) have expertise and experience in the fields or disciplines related to the subject areas to be considered by the Commission; and

(B) not be Members of Congress.

(2) TERM OF APPOINTMENT.—The term of an appointment to the Commission shall be for the life of the Commission.

(3) CHAIR AND VICE CHAIR.—The Chair and Vice Chair may be elected from among the members of the Commission. The Vice Chair shall assume the duties of the Chair in the Chair's absence.

(c) MEETINGS; QUORUM; AND VACANCIES.—

(1) MEETINGS.—The Commission shall meet at least once a month on a day to be decided by the Commission. The Commission may meet at such other times at the call of the Chair or of a majority of its voting members. The meetings of the Commission shall be open to the public, unless by public vote, the Commission shall determine to close a meeting or any portion of a meeting to the public.

(2) QUORUM.—A majority of the voting membership shall constitute a quorum of the Commission, except that 3 or more voting members may conduct hearings.

(3) VACANCIES.—A vacancy on the Commission shall be filled in the same manner in which the original appointment was filled under subsection (a).

(d) COMPENSATION AND EXPENSES.—Members of the Commission shall serve without pay for their service on the Commission, but may receive travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code.

SEC. 404. STAFF AND SUPPORT SERVICES.

(a) STAFF.—With the advance approval of the Commission, the executive director may appoint such personnel as is appropriate. The staff of the Commission shall be appointed without regard to political affiliation and without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classifications and General Schedule pay rates.

(b) EXECUTIVE DIRECTOR.—The Chairman shall appoint an executive director, who shall be paid the rate of basic pay for level II of the Executive Schedule.

(c) EXPERTS AND CONSULTANTS.—With the advance approval of the Commission, the executive director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(d) TECHNICAL AND ADMINISTRATIVE ASSISTANCE.—Upon the request of the Commission—

(1) the head of any agency, office, or establishment within the executive or legislative branches of the United States shall provide, without reimbursement, such technical assistance as the Commission determines is necessary to carry out its duties; and

(2) the Administrator of the General Services Administration shall provide, on a reimbursable basis, such administrative support services as the Commission may require.

(e) DETAIL OF FEDERAL PERSONNEL.—Upon the request of the Commission, the head of an agency, office, or establishment in the executive or legislative branch of the United States is authorized to detail, without reimbursement, any of the personnel of that agency, office, or establishment to the Commission to assist the Commission in carrying out its duties. Any such detail shall not interrupt or otherwise affect the employment status or privileges of that employee.

(f) CBO.—The Director of the Congressional Budget Office shall provide the Commission with its latest research on the accuracy of its past budget and economic projections as compared to those of the Office of Management and Budget and, if possible,

those of private sector forecasters. The Commission shall work with the Directors of the Congressional Budget Office and the Office of Management and Budget in their efforts to explain the factors affecting the accuracy of budget projections.

SEC. 405. REPORT.

Not later than _____, the Commission shall transmit a report to the President and to each House of Congress. The report shall contain a detailed statement of the findings and conclusions of the Commission, together with its recommendations for such legislative or administrative actions as it considers appropriate. No finding, conclusion, or recommendation may be made by the Commission unless approved by a majority of those voting, a quorum being present. At the request of any Commission member, the report shall include that member's dissenting findings, conclusions, or recommendations.

SEC. 406. TERMINATION.

The Commission shall terminate 30 days after the date of transmission of the report required in section 405.

SEC. 407. FUNDING.

There are authorized to be appropriated not more than $1,000,000 to carry out this title. Sums so appropriated shall remain available until expended.

By Mr. HAGEL:

S. 691. A bill to authorize the Secretary of Agriculture to enter into cooperative agreements and contracts with the Nebraska State Forester to carry out watershed restoration and protection activities on National Forest System land in the State of Nebraska; to the Committee on Energy and Natural Resources.

Mr. HAGEL. Mr. President, 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. 691

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

SECTION 1. WATERSHED RESTORATION AND PROTECTION ACTIVITIES IN THE STATE OF NEBRASKA.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(2) STATE.—The term ''State'' means the State of Nebraska.

(3) STATE FORESTER.—The term ''State Forester'' means the Nebraska State Forester.

(b) COOPERATIVE AGREEMENTS AND CONTRACTS.—

(1) IN GENERAL.—The Secretary may enter into a cooperative agreement or contract, including a sole source contract, with the State Forester, under which the State Forester may carry out eligible watershed restoration and protection activities on National Forest System land in the State if similar or complementary activities are being carried out by the State Forester on State or private land that is located within the same watershed as the National Forest System land.

(2) ELIGIBLE ACTIVITIES.—Watershed restoration and protection activities that are eligible to be carried out by the State Forester under paragraph (1) shall include—

(A) treatment of insect-infected trees;

(B) reduction of hazardous fuels; and

(C) other activities to restore or improve watersheds across ownership boundaries.

(c) AGENCY AGREEMENT.—Except as provided in subsection (f), a cooperative agreement or contract under subsection (b)(1) may authorize the State Forester to be an agent of the Secretary for the purpose of carrying out the watershed restoration or protection activities under the cooperative agreement or contract.

(d) SUBCONTRACTS AUTHORIZED.—In carrying out the watershed restoration or protection activities under subsection (b), the State Forester may enter into subcontracts in accordance with applicable contract procedures of the State.

(e) TIMBER SALES.—Subsections (d) and (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a) shall not apply to watershed restoration and protection activities carried out by the State Forester under subsection (b).

(f) NO DELEGATION OF DUTIES UNDER NEPA.—With respect to any watershed restoration or protection activity of the State Forester carried out or proposed to be carried out under subsection (b), the Secretary shall not delegate to the State Forester or to any other employee of the State Forest Service any of the duties of the Secretary under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(g) TERMINATION OF AUTHORITY.—The authority of the Secretary to enter into cooperative agreements or contracts under this section terminates on September 30, 2006.

AMENDMENTS SUBMITTED & PROPOSED

SA 368. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Governments for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table.

SA 369. Mr. COCHRAN proposed an amendment to the concurrent resolution S. Con. Res. 23, supra.

SA 370. Mr. BINGAMAN (for himself, Mr. KERRY, Mr. DODD, Mr. DASCHLE, Mr. ROCKEFELLER, Mr. CORZINE, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 371. Mr. DORGAN (for himself, Mr. FEINGOLD, Mr. DASCHLE, Mr. LEAHY, Mr. JEFFORDS, Mr. HARKIN, Ms. MIKULSKI, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 372. Mr. LEVIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 373. Mr. DODD (for himself, Mrs. CLINTON, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 374. Mrs. CLINTON (for herself, Mr. SCHUMER, and Mr. DODD) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 375. Mr. SCHUMER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 376. Mr. CONRAD proposed an amendment to the concurrent resolution S. Con. Res. 23, supra.

SA 377. Mr. GREGG proposed an amendment to the concurrent resolution S. Con. Res. 23, supra.

SA 378. Mr. McCONNELL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 379. Mr. SCHUMER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 380. Mr. SCHUMER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 381. Mrs. CLINTON (for herself, Mr. SCHUMER, Mr. LEAHY, Mr. LIEBERMAN, Mr. CORZINE, Mr. DAYTON, and Mr. SARBANES) proposed an amendment to the concurrent resolution S. Con. Res. 23, supra.

SA 382. Ms. CANTWELL submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 383. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 384. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 385. Mr. DORGAN (for himself, Mr. FEINGOLD, Mr. DASCHLE, Mr. LEAHY, Mr. JEFFORDS, Mr. HARKIN, Ms. MIKULSKI, Mr. JOHNSON, and Mr. SARBANES) proposed an amendment to the concurrent resolution S. Con. Res. 23, supra.

SA 386. Mr. HARKIN proposed an amendment to amendment SA 339 submitted by Mr. BREAUX (for himself, Ms. SNOWE, Mr. BAUCUS, and Mr. VOINOVICH) to the concurrent resolution S. Con. Res. 23, supra.

SA 387. Mr. BYRD proposed an amendment to the concurrent resolution S. Con. Res. 23, supra.

SA 388. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra.

SA 389. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, supra.

SA 390. Mr. NICKLES submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra.

SA 391. Mr. STEVENS (for himself and Mr. NICKLES) proposed an amendment to the concurrent resolution S. Con. Res. 23, supra.

SA 392. Mr. HARKIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 393. Mr. HARKIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 394. Mr. DURBIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 395. Mr. DORGAN (for himself, Mr. HAGEL, and Mr. BROWNBACK) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 396. Mr. HARKIN (for himself, Mrs. MURRAY, Mr. KOHL, Ms. CANTWELL, Mr. BINGAMAN, Mr. JOHNSON, Mr. DORGAN, and Mr. INOUYE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 397. Mr. KERRY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 398. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 399. Mr. ENSIGN submitted an amendment intended to be proposed by him to the

concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 400. Mr. LUGAR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 401. Mr. SPECTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 402. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 403. Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 404. Mr. NICKLES submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 405. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 406. Ms. STABENOW submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 407. Ms. STABENOW (for herself, Mr. HARKIN, Mr. LEAHY, Mr. JOHNSON, Mrs. MURRAY, Mr. DAYTON , Mr. KOHL, Mr. CORZINE, Mr. REED, Mrs. CLINTON, Mr. BINGAMAN, and Mr. DODD) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 408. Mr. LAUTENBERG (for himself, Mrs. BOXER, Mr. CORZINE, Mr. REED, Mr. SARBANES, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 409. Mr. DAYTON submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 410. Mr. DODD (for himself, Mr. BINGAMAN, Mr. HATCH, Mr. KENNEDY, and Mr. KERRY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 368. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. ___. SENSE OF THE SENATE CONCERNING PROGRAMS OF THE CORPS OF ENGINEERS.

(a) FINDINGS.—The Senate finds that—

(1) the Corps of Engineers provides quality, responsive engineering services to the United States, including planning, designing, building, and operating invaluable water resources and civil works projects;

(2) the ports of the United States are a vital component of the economy of the United States, playing a critical role in international trade and commerce and in maintaining the energy supply of the United States;

(3) interruption of port operations would have a devastating effect on the United States;

(4) the navigation program of the Corps enables 2,400,000,000 tons of commerce to move on navigable waterways;

(5) the Department of Transportation estimates that those cargo movements have created jobs for 13,000,000 people;

(6) flood damage reduction structures provided and maintained by the Corps save taxpayers $21,000,000,000 in damages every year, in addition to numerous human lives;

(7) the Corps designs and manages the construction of military facilities for the Army and Air Force while providing support to the Department of Defense and other Federal agencies;

(8) the Civil Works program of the Corps adds significant value to the economy of the United States;

(9) through contracting methods, the civil works program employs thousands of private sector contract employees, as well as Federal employees, in all aspects of construction, science, engineering, architecture, management, planning, design, operations, and maintenance; and

(10) the Bureau of Labor Statistics indicates that $1,000,000,000 expended for the Civil Works program generates approximately 40,000 jobs in support of construction operation and maintenance activities in the United States.

(b) BUDGETARY ASSUMPTIONS.—It is the sense of the Senate that—

(1) to perform vital functions described in subsection (a), the Corps of Engineers requires additional funding in order to sustain aging infrastructure of, and address the growing demand for water supply in, the United States; and

(2) the budgetary totals in this resolution assume that the level of funding provided for programs of the Corps described in subsection (a) will not be reduced below current baseline spending levels established for the programs.

SA 369. Mr. COCHRAN proposed an amendment to the concurrent resolution S. Con. Res. 22, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal year 2005 through 2013; as follows:

On page 23, line 15, increase the amount by $3,500,000,000.

On page 23, line 16, increase the amount by $1,575,000,000.

On page 23, line 20, increase the amount by $875,000,000.

On page 23, line 24, increase the amount by $525,000,000.

On page 24, line 3, increase the amount by $350,000,000.

On page 24, line 7, increase the amount by $175,000,000.

On page 4, line 14, increase the amount by $3,500,000,000.

On page 5, line 4, increase the amount by $1,575,000,000.

On page 5, line 5, increase the amount by $875,000,000.

On page 5, line 6, increase the amount by $525,000,000.

On page 5, line 7, increase the amount by $350,000,000.

On page 5, line 8, increase the amount by $175,000,000.

On page 5, line 17, decrease the amount by $1,575,000,000.

On page 5, line 18, decrease the amount by $875,000,000.

On page 5, line 19, decrease the amount by $525,000,000.

On page 5, line 20, decrease the amount by $350,000,000.

On page 5, line 21, decrease the amount by $175,000,000.

On page 46, line 20, increase the amount by $3,500,000,000.

On page 46, line 21, increase the amount by $1,575,000,000.

On page 47, line 6, increase the amount by $875,000,000.

On page 47, line 15, increase the amount by $525,000,000.

SA 370. Mr. BINGAMAN (for himself, Mr. KERRY, Mr. DODD, Mr. DASCHLE, Mr. ROCKFELLER, Mr. CORZINE, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $3,210,000,000.

On page 3, line 11, increase the amount by $3,745,000,000

On page 3, line 12, increase the amount by $3,970,000,000

On page 3, line 13, increase the amount by $4,043,000,000

On page 3, line 14, increase the amount by $4,082,000,000

On page 3, line 15, increase the amount by $4,080,000,000

On page 3, line 16, increase the amount by $4,080,000,000

On page 3, line 17, increase the amount by $4,080,000,000

On page 3, line 18, increase the amount by $4,080,000,000

On page 3, line 19, increase the amount by $4,080,000,000

On page 4, line 1, increase the amount by $3,210,000,000

On page 4, line 2, increase the amount by $3,745,000,000.

On page 4, line 3, increase the amount by $3,970,000,000.

On page 4, line 4, increase the amount by $4,043,000,000.

On page 4, line 5, increase the amount by $4,082,000,000.

On page 4, line 6, increase the amount by $4,080,000,000.

On page 4, line 7, increase the amount by $4,080,000,000.

On page 4, line 8, increase the amount by $4,080,000,000.

On page 4, line 9, increase the amount by $4,080,000,000.

On page 4, line 10, increase the amount by $4,080,000,000.

On page 4, line 15, increase the amount by $2,111,000,000.

On page 4, line 16, increase the amount by $1,919,000,000.

On page 4, line 17, increase the amount by $1,802,000,000.

On page 4, line 18, increase the amount by $1,676,000,000.

On page 4, line 19, increase the amount by $1,545,000,000.

On page 4, line 20, increase the amount by $1,406,000,000.

On page 4, line 21, increase the amount by $1,259,000,000.

On page 4, line 22, increase the amount by $1,106,000,000.

On page 4, line 23, increase the amount by $945,000,000.

On page 4, line 24, increase the amount by $775,000,000.

On page 5, line 5, increase the amount by $1,576,000,000.

On page 5, line 6, increase the amount by $1,751,000,000.

On page 5, line 7, increase the amount by $1,747,000,000.
On page 5, line 8, increase the amount by $1,658,000,000.
On page 5, line 9, increase the amount by $1,546,000,000.
On page 5, line 10, increase the amount by $1,406,000,000.
On page 5, line 11, increase the amount by $1,259,000,000.
On page 5, line 12, increase the amount by $1,106,000,000.
On page 5, line 13, increase the amount by $945,000,000.
On page 5, line 14, increase the amount by $775,000,000.
On page 5, line 18, increase the amount by $1,634,000,000.
On page 5, line 19, increase the amount by $1,994,000,000.
On page 5, line 20, increase the amount by $2,223,000,000.
On page 5, line 21, increase the amount by $2,385,000,000.
On page 5, line 22, increase the amount by $2,536,000,000.
On page 5, line 23, increase the amount by $2,674,000,000.
On page 5, line 24, increase the amount by $2,821,000,000.
On page 5, line 25, increase the amount by $2,974,000,000.
On page 6, line 1, increase the amount by $3,135,000,000.
On page 6, line 2, increase the amount by $3,305,000,000.
On page 6, line 6, decrease the amount by $1,634,000,000.
On page 6, line 7, decrease the amount by $3,628,000,000.
On page 6, line 8, decrease the amount by $5,852,000,000.
On page 6, line 9, decrease the amount by $8,237,000,000.
On page 6, line 10, decrease the amount by $10,773,000,000.
On page 6, line 11, decrease the amount by $13,447,000,000.
On page 6, line 12, decrease the amount by $16,268,000,000.
On page 6, line 13, decrease the amount by $19,242,000,000.
On page 6, line 14, decrease the amount by $22,377,000,000.
On page 6, line 15, decrease the amount by $25,682,000,000.
On page 6, line 19, decrease the amount by $1,634,000,000.
On page 6, line 20, decrease the amount by $3,628,000,000.
On page 6, line 21, decrease the amount by $5,852,000,000.
On page 6, line 22, decrease the amount by $8,237,000,000.
On page 6, line 23, decrease the amount by $10,773,000,000.
On page 6, line 24, decrease the amount by $13,447,000,000.
On page 6, line 25, decrease the amount by $16,268,000,000.
On page 7, line 1, decrease the amount by $19,242,000,000.
On page 7, line 2, decrease the amount by $22,377,000,000.
On page 7, line 3, decrease the amount by $25,682,000,000.
On page 31, line 2, increase the amount by $2,140,000,000.
On page 31, line 3, increase the amount by $1,605,000,000.
On page 31, line 6, increase the amount by $2,040,000,000.
On page 31, line 7, increase the amount by $1,872,000,000.
On page 31, line 10, increase the amount by $2,040,000,000.
On page 31, line 11, increase the amount by $1,985,000,000.
On page 31, line 14, increase the amount by $2,040,000,000.
On page 31, line 15, increase the amount by $2,022,000,000.
On page 31, line 18, increase the amount by $2,040,000,000.
On page 31, line 19, increase the amount by $2,041,000,000.
On page 31, line 22, increase the amount by $2,040,000,000.
On page 31, line 23, increase the amount by $2,040,000,000.
On page 32, line 2, increase the amount by $2,040,000,000.
On page 32, line 3, increase the amount by $2,040,000,000.
On page 32, line 6, increase the amount by $2,040,000,000.
On page 32, line 7, increase the amount by $2,040,000,000.
On page 32, line 10, increase the amount by $2,040,000,000.
On page 32, line 11, increase the amount by $2,040,000,000.
On page 32, line 14, increase the amount by $2,040,000,000.
On page 32, line 15, increase the amount by $2,040,000,000.
On page 40, line 6, decrease the amount by $29,000,000.
On page 40, line 7, decrease the amount by $29,000,000.
On page 40, line 10, decrease the amount by $121,000,000.
On page 40, line 11, decrease the amount by $121,000,000.
On page 40, line 14, decrease the amount by $238,000,000.
On page 40, line 15, decrease the amount by $238,000,000.
On page 40, line 18, decrease the amount by $364,000,000.
On page 40, line 19, decrease the amount by $364,000,000.
On page 40, line 22, decrease the amount by $495,000,000.
On page 40, line 23, decrease the amount by $495,000,000.
On page 41, line 2, decrease the amount by $634,000,000.
On page 41, line 3, decrease the amount by $634,000,000.
On page 41, line 6, decrease the amount by $781,000,000.
On page 41, line 7, decrease the amount by $781,000,000.
On page 41, line 10, decrease the amount by $934,000,000.
On page 41, line 11, decrease the amount by $934,000,000.
On page 41, line 14, decrease the amount by $1,095,000,000.
On page 41, line 15, decrease the amount by $1,095,000,000.
On page 41, line 18, decrease the amount by $1,265,000,000.
On page 41, line 19, decrease the amount by $1,265,000,000.

SA 371. Mr. DORGAN (for himself, Mr. FEINGOLD, Mr. DASCHLE, Mr. LEAHY, Mr. JEFFORDS, Mr. HARKIN, Ms. MIKULSKI, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $1,798,000,000.
On page 3, line 11, increase the amount by $192,000,000.
On page 3, line 12, increase the amount by $29,000,000.
On page 3, line 13, increase the amount by $9,000,000.
On page 3, line 14, increase the amount by $1,000,000.
On page 4, line 1, increase the amount by $1,798,000,000.
On page 4, line 2, increase the amount by $192,000,000.
On page 4, line 3, increase the amount by $29,000,000.
On page 4, line 4, increase the amount by $9,000,000.
On page 4, line 5, increase the amount by $1,000,000.
On page 4, line 15, increase the amount by $1,003,000,000.
On page 4, line 16, decrease the amount by $43,000,000.
On page 4, line 17, decrease the amount by $52,000,000.
On page 4, line 18, decrease the amount by $58,000,000.
On page 4, line 19, decrease the amount by $61,000,000.
On page 4, line 20, decrease the amount by $65,000,000.
On page 4, line 21, decrease the amount by $69,000,000.
On page 4, line 22, decrease the amount by $73,000,000.
On page 4, line 23, decrease the amount by $77,000,000.
On page 4, line 24, decrease the amount by $81,000,000.
On page 5, line 5, increase the amount by $883,000,000.
On page 5, line 6, increase the amount by $53,000,000.
On page 5, line 7, decrease the amount by $37,000,000.
On page 5, line 8, decrease the amount by $54,000,000.
On page 5, line 9, decrease the amount by $61,000,000.
On page 5, line 10, decrease the amount by $65,000,000.
On page 5, line 11, decrease the amount by $69,000,000.
On page 5, line 12, decrease the amount by $73,000,000.
On page 5, line 13, decrease the amount by $77,000,000.
On page 5, line 14, decrease the amount by $81,000,000.
On page 5, line 18, increase the amount by $915,000,000.
On page 5, line 19, increase the amount by $139,000,000.
On page 5, line 20, increase the amount by $66,000,000.
On page 5, line 21, increase the amount by $63,000,000.
On page 5, line 22, increase the amount by $62,000,000.
On page 5, line 23, increase the amount by $65,000,000.
On page 5, line 24, increase the amount by $69,000,000.
On page 5, line 25, increase the amount by $73,000,000.
On page 6, line 1, increase the amount by $77,000,000.
On page 6, line 2, increase the amount by $81,000,000.
On page 6, line 6, decrease the amount by $915,000,000.
On page 6, line 7, decrease the amount by $1,054,000,000.
On page 6, line 8, decrease the amount by $1,121,000,000.
On page 6, line 9, decrease the amount by $1,183,000,000.
On page 6, line 10, decrease the amount by $1,245,000,000.
On page 6, line 11, decrease the amount by $1,311,000,000.

On page 6, line 12, decrease the amount by $1,380,000,000.
On page 6, line 13, decrease the amount by $1,453,000,000.
On page 6, line 14, decrease the amount by $1,531,000,000.
On page 6, line 15, decrease the amount by $1,612,000,000.
On page 6, line 19, decrease the amount by $915,000,000.
On page 6, line 20, decrease the amount by $1,054,000,000.
On page 6, line 21, decrease the amount by $1,121,000,000.
On page 6, line 22, decrease the amount by $1,183,000,000.
On page 6, line 23, decrease the amount by $1,245,000,000.
On page 6, line 24, decrease the amount by $1,311,000,000.
On page 6, line 25, decrease the amount by $1,380,000,000.
On page 7, line 1, decrease the amount by $1,453,000,000.
On page 7, line 2, decrease the amount by $1,531,000,000.
On page 7, line 3, decrease the amount by $1,612,000,000.
On page 34, line 19, increase the amount by $1,019,000,000.
On page 34, line 20, increase the amount by $899,000,000.
On page 34, line 24, increase the amount by $96,000,000.
On page 35, line 3, increase the amount by $15,000,000.
On page 35, line 7, increase the amount by $4,000,000.
On page 40, line 6, decrease the amount by $16,000,000.
On page 40, line 7, decrease the amount by $16,000,000.
On page 40, line 10, decrease the amount by $43,000,000.
On page 40, line 11, decrease the amount by $43,000,000.
On page 40, line 14, decrease the amount by $52,000,000.
On page 40, line 15, decrease the amount by $52,000,000.
On page 40, line 18, decrease the amount by $58,000,000.
On page 40, line 19, decrease the amount by $58,000,000.
On page 40, line 22, decrease the amount by $61,000,000.
On page 40, line 23, decrease the amount by $61,000,000.
On page 41, line 2, decrease the amount by $65,000,000.
On page 41, line 3, decrease the amount by $65,000,000.
On page 41, line 6, decrease the amount by $69,000,000.
On page 41, line 7, decrease the amount by $69,000,000.
On page 41, line 10, decrease the amount by $73,000,000.
On page 41, line 11, decrease the amount by $73,000,000.
On page 41, line 14, decrease the amount by $77,000,000.
On page 41, line 15, decrease the amount by $77,000,000.
On page 41, line 18, decrease the amount by $81,000,000.
On page 41, line 19, decrease the amount by $81,000,000.
On page 45, line 24, decrease the amount by $2,029,000,000.
On page 47, line 5, increase the amount by $1,019,000,000.
On page 47, line 6, increase the amount by $899,000,000.
On page 47, line 15, increase the amount by $96,000,000.

SA 372. Mr. LEVIN submitted an amendment intended to be proposed by him to the concurrent resolutions S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 9, increase the amount by $38,000,000.
On page 3, line 10, increase the amount by $130,000,000.
On page 3, line 11, increase the amount by $153,000,000.
On page 3, line 12, increase the amount by $268,000,000.
On page 3, line 13, increase the amount by $321,000,000.
On page 3, line 14, increase the amount by $385,000,000.
On page 3, line 15, increase the amount by $460,000,000.
On page 3, line 16, increase the amount by $551,000,000.
On page 3, line 17, increase the amount by $658,000,000.
On page 3, line 18, increase the amount by $785,000,000.
On page 3, line 19, increase the amount by $936,000,000.
On page 3, line 23, increase the amount by $38,000,000.
On page 4, line 1, increase the amount by $130,000,000.
On page 4, line 2, increase the amount by $153,000,000.
On page 4, line 3, increase the amount by $268,000,000.
On page 4, line 4, increase the amount by $321,000,000.
On page 4, line 5, increase the amount by $385,000,000.
On page 4, line 6, increase the amount by $460,000,000.
On page 4, line 7, increase the amount by $551,000,000.
On page 4, line 8, increase the amount by $658,000,000.
On page 4, line 9, increase the amount by $785,000,000.
On page 4, line 10, increase the amount by $936,000,000.
On page 4, line 15, increase the amount by $272,000,000.
On page 4, line 16, increase the amount by $269,000,000.
On page 4, line 17, increase the amount by $269,000,000.
On page 4, line 18, increase the amount by $267,000,000.
On page 4, line 19, increase the amount by $262,000,000.
On page 4, line 20, increase the amount by $253,000,000.
On page 4, line 21, increase the amount by $240,000,000.
On page 4, line 22, decrease the amount by $220,000,000.
On page 4, line 23, decrease the amount by $193,000,000.
On page 4, line 24, decrease the amount by $156,000,000.
On page 5, line 5, increase the amount by $11,000,000.
On page 5, line 6, increase the amount by $187,000,000.
On page 5, line 7, increase the amount by $255,000,000.
On page 5, line 8, increase the amount by $267,000,000.
On page 5, line 9, increase the amount by $262,000,000.
On page 5, line 10, increase the amount by $253,000,000.
On page 5, line 11, increase the amount by $240,000,000.
On page 5, line 12, decrease the amount by $220,000,000.
On page 5, line 13, decrease the amount by $193,000,000.
On page 5, line 14, decrease the amount by $156,000,000.
On page 5, line 17, decrease the amount by $38,000,000.
On page 5, line 18, decrease the amount by $119,000,000.
On page 5, line 19, increase the amount by $34,000,000.
On page 5, line 20, decrease the amount by $13,000,000.
On page 5, line 21, decrease the amount by $54,000,000.
On page 5, line 22, decrease the amount by $123,000,000.
On page 5, line 23, decrease the amount by $207,000,000.
On page 5, line 24, decrease the amount by $311,000,000.
On page 5, line 25, decrease the amount by $438,000,000.
On page 6, line 1, decrease the amount by $592,000,000.
On page 6, line 2, decrease the amount by $780,000,000.
On page 6, line 5, decrease the amount by $38,000,000.
On page 6, line 6, decrease the amount by $157,000,000.
On page 6, line 7, decrease the amount by $124,000,000.
On page 6, line 8, decrease the amount by $137,000,000.
On page 6, line 8, decrease the amount by $191,000,000.
On page 6, line 10, decrease the amount by $314,000,000.
On page 6, line 11, decrease the amount by $520,000,000.
On page 6, line 12, decrease the amount by $832,000,000.
On page 6, line 13, decrease the amount by $1,270,000,000.
On page 6, line 14, decrease the amount by $1,862,000,000.
On page 6, line 15, decrease the amount by $2,642,000,000.
On page 6, line 18, decrease the amount by $38,000,000.
On page 6, line 19, decrease the amount by $157,000,000.
On page 6, line 20, decrease the amount by $124,000,000.
On page 6, line 21, decrease the amount by $137,000,000.
On page 6, line 22, decrease the amount by $191,000,000.
On page 6, line 23, decrease the amount by $314,000,000.
On page 6, line 24, decrease the amount by $520,000,000.
On page 6, line 25, decrease the amount by $832,000,000.
On page 7, line 1, decrease the amount by $1,270,000,000.
On page 7, line 2, decrease the amount by $1,862,000,000.
On page 7, line 3, decrease the amount by $2,642,000,000.
On page 25, line 16, increase the amount by $275,000,000.
On page 25, line 17, increase the amount by $14,000,000.
On page 25, line 20, increase the amount by $275,000,000.
On page 25, line 21, increase the amount by $193,000,000.
On page 25, line 24, increase the amount by $275,000,000.
On page 25, line 25, increase the amount by $261,000,000.
On page 26, line 3, increase the amount by $275,000,000.
On page 26, line 4, increase the amount by $275,000,000.

On page 26, line 7, increase the amount by $275,000,000.

On page 26, line 8, increase the amount by $275,000,000.

On page 26, line 11, increase the amount by $275,000,000.

On page 26, line 12, increase the amount by $275,000,000.

On page 26, line 15, increase the amount by $275,000,000.

On page 26, line 16, increase the amount by $275,000,000.

On page 26, line 19, increase the amount by $275,000,000.

On page 26, line 20, increase the amount by $275,000,000.

On page 26, line 23, increase the amount by $275,000,000.

On page 26, line 24, increase the amount by $275,000,000.

On page 27, line 2, increase the amount by $275,000,000.

On page 27, line 3, increase the amount by $275,000,000.

On page 40, line 6, decrease the amount by $3,000,000.

On page 40, line 7, decrease the amount by $3,000,000.

On page 40, line 10, decrease the amount by $6,000,000.

On page 40, line 11, decrease the amount by $6,000,000.

On page 40, line 14, decrease the amount by $6,000,000.

On page 40, line 15, decrease the amount by $6,000,000.

On page 40, line 18, decrease the amount by $8,000,000.

On page 40, line 19, decrease the amount by $8,000,000.

On page 40, line 22, decrease the amount by $13,000,000.

On page 40, line 23, decrease the amount by $13,000,000.

On page 41, line 2, decrease the amount by $22,000,000.

On page 41, line 3, decrease the amount by $22,000,000.

On page 41, line 6, decrease the amount by $35,000,000.

On page 41, line 7, decrease the amount by $35,000,000.

On page 41, line 10, decrease the amount by $55,000,000.

On page 41, line 11, decrease the amount by $55,000,000.

On page 41, line 14, decrease the amount by $82,000,000.

On page 41, line 15, decrease the amount by $82,000,000.

On page 41, line 18, decrease the amount by $119,000,000.

On page 41, line 19, decrease the amount by $119,000,000.

On page 47, line 5, increase the amount by $275,000,000.

On page 47, line 6, increase the amount by $14,000,000.

On page 47, line 14, increase the amount by $275,000,000.

On page 47, line 15, increase the amount by $193,000,000.

At the appropriate place insert the following:

SEC. ___. SENSE OF THE SENATE ON CORPORATE TAX HAVEN LOOPHOLES.

(a) FINDINGS.—Congress finds that companies are taking advantage of loopholes in the United States tax code to direct taxable income to tax haven jurisdictions, some of which have excessive bank secrecy laws and a poor record of cooperation with United States civil and criminal tax enforcement.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Senate should act to stop companies from avoiding paying their fair share of United States taxes by—

(1) addressing the problem of corporations that have renounced their United States citizenship (''inverted'') by relocating their headquarters to tax haven jurisdictions while maintaining their primary offices and production or service facilities in the United States; and

(2) addressing the problem of Bermuda-based insurance companies that are using reinsurance agreements with their subsidiaries to direct property and casualty insurance premiums out of the United States into Bermuda to reduce their United States taxes in a way that places United States property and casualty insurance companies at a competitive disadvantage.

SA 373. Mr. DODD (for himself, Mrs. CLINTON, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $550,000,000.

On page 3, line 11, increase the amount by $950,000,000.

On page 3, line 12, increase the amount by $875,000,000.

On page 3, line 13, increase the amount by $125,000,000.

On page 4, line 1, increase the amount by $550,000,000.

On page 4, line 2, increase the amount by $950,000,000.

On page 4, line 3, increase the amount by $875,000,000.

On page 4, line 4, increase the amount by $125,000,000.

On page 4, line 15, increase the amount by $1,245,000,000.

On page 4, line 16, decrease the amount by $25,000,000.

On page 4, line 17, decrease the amount by $52,000,000.

On page 4, line 18, decrease the amount by $69,000,000.

On page 4, line 19, decrease the amount by $75,000,000.

On page 4, line 20, decrease the amount by $79,000,000.

On page 4, line 21, decrease the amount by $84,000,000.

On page 4, line 22, decrease the amount by $88,000,000.

On page 4, line 23, decrease the amount by $93,000,000.

On page 4, line 24, decrease the amount by $98,000,000.

On page 5, line 5, decrease the amount by $270,000,000.

On page 5, line 6, decrease the amount by $450,000,000.

On page 5, line 7, decrease the amount by $386,000,000.

On page 5, line 8, decrease the amount by $7,000,000.

On page 5, line 9, decrease the amount by $75,000,000.

On page 5, line 10, decrease the amount by $79,000,000.

On page 5, line 11, decrease the amount by $84,000,000.

On page 5, line 12, decrease the amount by $88,000,000.

On page 5, line 13, decrease the amount by $93,000,000.

On page 5, line 14, decrease the amount by $98,000,000.

On page 5, line 18, increase the amount by $280,000,000.

On page 5, line 19, increase the amount by $500,000,000.

On page 5, line 20, increase the amount by $489,000,000.

On page 5, line 21, increase the amount by $132,000,000.

On page 5, line 22, increase the amount by $75,000,000.

On page 5, line 23, increase the amount by $79,000,000.

On page 5, line 24, increase the amount by $84,000,000.

On page 5, line 25, increase the amount by $88,000,000.

On page 6, line 1, increase the amount by $93,000,000.

On page 6, line 2, increase the amount by $98,000,000.

On page 6, line 6, decrease the amount by $280,000,000.

On page 6, line 7, decrease the amount by $780,000,000.

On page 6, line 8, decrease the amount by $1,269,000,000.

On page 6, line 9, decrease the amount by $1,401,000,000.

On page 6, line 10, decrease the amount by $1,475,000,000.

On page 6, line 11, decrease the amount by $1,554,000,000.

On page 6, line 12, decrease the amount by $1,638,000,000.

On page 6, line 13, decrease the amount by $1,726,000,000.

On page 6, line 14, decrease the amount by $1,819,000,000.

On page 6, line 15, decrease the amount by $1,917,000,000.

On page 6, line 19, decrease the amount by $280,000,000.

On page 6, line 20, decrease the amount by $780,000,000.

On page 6, line 21, decrease the amount by $1,269,000,000.

On page 6, line 22, decrease the amount by $1,401,000,000.

On page 6, line 23, decrease the amount by $1,475,000,000.

On page 6, line 24, decrease the amount by $1,554,000,000.

On page 6, line 25, decrease the amount by $1,638,000,000.

On page 7, line 1, decrease the amount by $1,726,000,000.

On page 7, line 2, decrease the amount by $1,819,000,000.

On page 7, line 3, decrease the amount by $1,917,000,000.

On page 23, line 19, increase the amount by $1,250,000,000.

On page 23, line 20, increase the amount by $275,000,000.

On page 23, line 24, increase the amount by $475,000,000.

On page 24, line 3, increase the amount by $438,000,000.

On page 24, line 7, increase the amount by $62,000,000.

On page 40, line 6, decrease the amount by $5,000,000.

On page 40, line 7, decrease the amount by $5,000,000.

On page 40, line 10, decrease the amount by $25,000,000.

On page 40, line 11, decrease the amount by $25,000,000.

On page 40, line 14, decrease the amount by $52,000,000.

On page 40, line 15, decrease the amount by $52,000,000.

On page 40, line 18, decrease the amount by $69,000,000.

On page 40, line 19, decrease the amount by $69,000,000.

On page 40, line 22, decrease the amount by $75,000,000.

On page 40, line 23, decrease the amount by $75,000,000.

On page 41, line 2, decrease the amount by $79,000,000.

On page 41, line 3, decrease the amount by $79,000,000.

On page 41, line 6, decrease the amount by $84,000,000.

On page 41, line 7, decrease the amount by $84,000,000.

On page 41, line 10, decrease the amount by $88,000,000.

On page 41, line 11, decrease the amount by $88,000,000.

On page 41, line 14, decrease the amount by $93,000,000.

On page 41, line 15, decrease the amount by $93,000,000.

On page 41, line 18, decrease the amount by $98,000,000.

On page 41, line 19, decrease the amount by $98,000,000.

On page 45, line 24, decrease the amount by $2,500,000,000.

On page 47, line 5, increase the amount by $1,250,000,000.

On page 47, line 6, increase the amount by $275,000,000.

On page 47, line 15, increase the amount by $475,000,000.

On page 79, after line 22, insert the following:

SEC. 308 GRANTS FOR FIREFIGHTERS.

It is the sense of the Senate that the funding levels in this resolution assume that under section 33 of the Federal Fire Prevention Control Act of 1974—

(1) not less than $1,000,000,000 will be used during fiscal year 2004 to provide grants to local governments for the sole purpose of hiring additional firefighters; and

(2) not less than $750,000,000 will be used during fiscal year 2004 to provide grants to local governments for the purchase of firefighting equipment and training.

SA 374. Mrs. CLINTON (for herself, Mr. SCHUMER, and Mr. DODD) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 12, line 19, decrease the amount by $5,668,000.

On page 12, line 20, decrease the amount by $2,551,000.

On page 12, line 24, decrease the amount by $2,267,000.

On page 13, line 3, decrease the amount by $680,000.

On page 13, line 7, decrease the amount by $113,000.

On page 13, line 11, decrease the amount by $57,000.

On page 18, line 6, increase the amount by $5,668,000.

On page 18, line 7, increase the amount by $2,551,000.

On page 18, line 11, increase the amount by $2,267,000.

On page 18, line 15, increase the amount by $680,000.

On page 18, line 19, increase the amount by $113,000.

On page 18, line 23, increase the amount by $57,000.

SA 375. Mr. SCHUMER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal year 2005 through 2013; which was ordered to lie on the table; as follows:

On page 30, line 23, increase the amount by $250,500,000.

On page 30, line 24, increase the amount by $250,000,000.

On page 79, after line 22, insert the following:

SEC. ___. INCREASED FUNDING TO RESTORE THE OPERATING SUBSIDY FUND.

The budgetary levels in this resolution assume that an additional $250,000,000 will be provided for the Operating Subsidy Fund of the Department of Housing and Urban Development for the purpose of restoring funding cuts in fiscal year 2003 to be derived by reducing the proposed tax cut.

SA 376. Mr. CONRAD proposed an amendment to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; as follows:

On page 3, line 10, increase the amount by $35,000,000.

On page 3, line 11, increase the amount by $1,173,000,000.

On page 3, line 12, increase the amount by $2,835,000,000.

On page 3, line 13, increase the amount by $4,585,000,000

On page 3, line 14, increase the amount by $6,335,000,000.

On page 3, line 15, increase the amount by $8,085,000,000.

On page 3, line 16, increase the amount by $9,835,000,000.

On page 3, line 17, increase the amount by $11,585,000,000.

On page 3, line 18, increase the amount by $13,335,000,000.

On page 3, line 19, increase the amount by $15,078,000,000.

On page 4, line 1, increase the amount by $35,000,000.

On page 4, line 2, increase the amount by $1,173,000,000.

On page 4, line 3, increase the amount by $2,835,000,000.

On page 4, line 4, increase the amount by $4,585,000,000.

On page 4, line 5, increase the amount by $6,335,000,000.

On page 4, line 6, increase the amount by $8,085,000,000.

On page 4, line 7, increase the amount by $9,835,000,000.

On page 4, line 8, increase the amount by $11,585,000,000.

On page 4, line 9, increase the amount by $13,335,000,000.

On page 4, line 10, increase the amount by $15,078,000,000.

On page 4, line 15, increase the amount by $1,750,000,000.

On page 4, line 16, increase the amount by $3,500,000,000.

On page 4, line 17, increase the amount by $5,250,000,000.

On page 4, line 18, increase the amount by $7,000,000,000.

On page 4, line 19, increase the amount by $8,750,000,000

On page 4, line 20, increase the amount by $10,500,000,000.

On page 4, line 21, increase the amount by $12,250,000,000.

On page 4, line 22, increase the amount by $14,000,000,000.

On page 4, line 23, increase the amount by $15,750,000,000.

On page 4, line 24, increase the amount by $17,131,000,000.

On page 5, line 5, increase the amount by $35,000,000.

On page 5, line 6, increase the amount by $1,173,000,000.

On page 5, line 7, increase the amount by $2,835,000,000.

On page 5, line 8, increase the amount by $4,585,000,000.

On page 5, line 9, increase the amount by $6,335,000,000.

On page 5, line 10, increase the amount by $8,085,000,000.

On page 5, line 11, increase the amount by $9,835,000,000.

On page 5, line 12, increase the amount by $11,585,000,000.

On page 5, line 13, increase the amount by $13,335,000,000.

On page 5, line 14, increase the amount by $15,078,000,000.

On page 25, line 16, increase the amount by $1,750,000,000.

On page 25, line 17, increase the amount by $35,000,000.

On page 25, line 20, increase the amount by $3,500,000,000.

On page 25, line 21, increase the amount by $1,173,000,000.

On page 25, line 24, increase the amount by $5,250,000,000.

On page 25, line 25, increase the amount by $2,835,000,000.

On page 26, line 3, increase the amount by $7,000,000,000.

On page 26, line 4, increase the amount by $4,585,000,000.

On page 26, line 7, increase the amount by $8,750,000,000.

On page 26, line 8, increase the amount by $6,335,000,000.

On page 26, line 11, increase the amount by $10,500,000,000.

On page 26, line 12, increase the amount by $8,085,000,000.

On page 26, line 15, increase the amount by $12,250,000.000.

On page 26, line 16, increase the amount by $9,835,000.000.

On page 26, line 19, increase the amount by $14,000,000.000.

On page 26, line 20, increase the amount by $11,585,000.000.

On page 26, line 23, increase the amount by $15,750,000.000.

On page 26, line 24, increase the amount by $13,335,000.000.

On page 27, line 2, increase the amount by $17,131,000.000.

On page 27, line 3, increase the amount by $15,078,000.000.

Strike Section 211 and insert in its place the following:

SEC. 211. RESERVE FUND FOR THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

The Chairman of the Committee on the Budget shall, in consultation with the Members of the Committee on the Budget and the Chairman and Ranking Member of the appropriate committee, increase the allocations pursuant to section 302(a) of the Congressional Budget Act of 1974 to the Committee on Health, Education, Labor, and Pensions of the Senate by up to $1,750,000,000 in new budget authority and $35,000,000 in outlays for fiscal year 2004, $26,250,000,000 in new budget authority and $14,963,000,000 in outlays for the total of fiscal years 2004 through 2008, and $95,881,000,000 in new budget authority and $72,880,000,000 in outlays for the total of fiscal years 2004 through 2013, for a bill, amendment, or conference report that would provide increased funding for part B grants, other than section 619, under the individuals with Disabilities Education Act (IDEA), with the goal that funding for these grants, when

taken together with amounts provided by the Committee on Appropriations, provides 40 percent of the national average per pupil expenditure for children with disabilities in the tenth year.

SA 377. Mr. GREGG proposed an amendment to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; as follows:

On page 25, line 16 increase the amount by $969,602,000.

On page 25, line 20 increase the amount by $2,319,000,000

On page 25, line 17 increase the amount by $19,392,040.

On page 25, line 21, increase the amount by $657,229,260.

On page 25, line 25, increase the amount by $1,751,850,600.

On page 26, line 4, increase the amount by $744,180,100.

On page 26, line 8, increase the amount by $115,950,000.

On page 42, line 2, decrease the amount by $969,602,000.

On page 42, line 6, decrease the amount by $2,319,000,000.

On page 42, line 3, decrease the amount by $19,392,040.

On page 42, line 7, decrease the amount by $657,229,260.

On page 42, line 11, decrease the amount by $1,751,850,600.

On page 42, line 15, decrease the amount by $744,180,100.

On page 42, line 19, decrease the amount by $115,950,000.

SA 378. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Governments for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 79, after line 22, add the following:

SEC. ___. SENSE OF THE SENATE.

It is the sense of the Senate that the budgetary totals in this concurrent resolution assume that the September 11th Victim Compensation Fund of 2001 (49 U.S.C. 40101 note; Public Law 107–42) should be amended to provide that at least 90 percent of any award from the Fund should go to victims and their families.

SA 379. Mr. SCHUMER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Governments for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 23, line 15, increase the amount by $1,500,000,000.

On page 23, line 16, increase the amount by $650,000,000.

On page 23, line 20, increase the amount by $400,000,000.

On page 23, line 24, increase the amount by $250,000,000.

On page 24, line 3, increase the amount by $110,000,000.

On page 24, line 7, increase the amount by $90,000,000.

On page 4, line 14, increase the amount by $1,500,000,000.

On page 5, line 4, increase the amount by $650,000,000.

On page 5, line 5, increase the amount by $400,000,000.

On page 5, line 6, increase the amount by $250,000,000.

On page 5, line 7, increase the amount by $110,000,000.

On page 5, line 8, increase the amount by $90,000,000.

On page 5, line 17, decrease the amount by $650,000,000.

On page 5, line 18, decrease the amount by $400,000,000.

On page 5, line 19, decrease the amount by $250,000,000.

On page 5, line 20, decrease the amount by $110,000,000.

On page 5, line 21, decrease the amount by $90,000,000.

On page 46, line 20, increase the amount by $1,500,000,000.

On page 46, line 21, increase the amount by $650,000,000.

On page 47, line 6, increase the amount by $400,000,000.

On page 47, line 15, increase the amount by $250,000,000.

SA 380. Mr. SCHUMER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Governments for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 9, line 2, increase the amount by $13,000,000.

On page 9, line 3, increase the amount by $13,000,000.

On page 79, line 22, insert the following:

SEC. ___. INCREASED FUNDING FOR ESSENTIAL AIR SERVICE.

The budgetary levels in this resolution assume that an additional $13,000,000 will be provided for constructing a Visiting Quarters facility for airmen at the Niagara Falls Air Force Base in Niagara Falls, New York, to be offset by reducing the tax cut.

SA 381. Mrs. CLINTON (for herself, Mr. SCHUMER, Mr. LEAHY, Mr. LIEBERMAN, Mr. CORZINE, Mr. DAYTON, and Mr. SARBANES) proposed an amendment to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; as follows:

On page 3, line 9, increase the amount by $2,450,000,000.

On page 3, line 10, increase the amount by $2,450,000,000.

On page 3, line 11, increase the amount by $1,400,000,000.

On page 3, line 12, increase the amount by $700,000,000.

On page 3, line 23, increase the amount by $2,450,000,000.

On page 4, line 1, increase the amount by $2,450,000,000.

On page 4, line 2, increase the amount by $1,400,000,000.

On page 4, line 3, increase the amount by $700,000,000.

On page 4, line 14, increase the amount by $3,491,000,000.

On page 4, line 15, decrease the amount by $575,000,000.

On page 4, line 16, decrease the amount by $128,000,000.

On page 4, line 17, decrease the amount by $174,500,000.

On page 4, line 18, decrease the amount by $197,500,000.

On page 4, line 19, decrease the amount by $211,000,000.

On page 4, line 20, decrease the amount by $225,000,000.

On page 4, line 21, decrease the amount by $238,500,000.

On page 4, line 22, decrease the amount by $251,500,000.

On page 4, line 23, decrease the amount by $265,000,000.

On page 4, line 24, decrease the amount by $281,000,000.

On page 5, line 4, increase the amount by $1,216,000,000.

On page 5, line 5, increase the amount by $1,167,500,000.

On page 5, line 6, increase the amount by $572,000,000.

On page 5, line 7, increase the amount by $175,500,000.

On page 5, line 8, decrease the amount by $197,500,000.

On page 5, line 9, decrease the amount by $211,000,000.

On page 5, line 10, decrease the amount by $225,000,000.

On page 5, line 11, decrease the amount by $238,500,000.

On page 5, line 12, decrease the amount by $251,500,000.

On page 5, line 13, decrease the amount by $265,000,000.

On page 5, line 14, decrease the amount by $281,000,000.

On page 5, line 17, increase the amount by $1,234,000,000.

On page 5, line 18, increase the amount by $1,282,500,000.

On page 5, line 19, increase the amount by $828,000,000.

On page 5, line 20, increase the amount by $524,500,000.

On page 5, line 21, increase the amount by $197,500,000.

On page 5, line 22, increase the amount by $211,000,000.

On page 5, line 12, increase the amount by $225,000,000.

On page 5, line 24, increase the amount by $238,500,000.

On page 5, line 25, increase the amount by $251,500,000.

On page 6, line 1, increase the amount by $265,000,000.

On page 6, line 2, increase the amount by $281,000,000.

On page 23, line 15, increase the amount by $3,500,000,000.

On page 23, line 16, increase the amount by $1,225,000,000.

On page 23, line 20, increase the amount by $1,225,000,000.

On page 23, line 24, increase the amount by $700,000,000.

On page 24, line 3, increase the amount by $350,000,000.

On page 46, line 20, increase the amount by $3,500,000,000.

On page 46, line 21, increase the amount by $1,225,000,000.

On page 47, line 6, increase the amount by $1,225,000,000.

On page 47, line 15, increase the amount by $700,000,000.

SA 382. Ms. CANTWELL submitted an amendment intended to be proposed by her to the concurrent resolution S.

Con. Res. 23, setting forth the congressional budget for the United States Governments for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $87,000,000.

On page 3, line 11, increase the amount by $391,000,000.

On page 3, line 12, increase the amount by $129,000,000.

On page 3, line 13, increase the amount by $34,000,000.

On page 3, line 14, increase the amount by $17,000,000.

On page 3, line 15, increase the amount by $20,000,000.

On page 4, line 1, increase the amount by $87,000,000.

On page 4, line 2, increase the amount by $391,000,000.

On page 4, line 3, increase the amount by $129,000,000.

On page 4, line 4, increase the amount by $34,000,000.

On page 4, line 5, increase the amount by $17,000,000.

On page 4, line 6, increase the amount by $20,000,000.

On page 4, line 15, increase the amount by $678,000,000.

On page 5, line 5, increase the amount by $87,000,000.

On page 5, line 6, increase the amount by $391,000,000.

On page 5, line 7, increase the amount by $129,000,000.

On page 5, line 8, increase the amount by $34,000,000.

On page 5, line 9, increase the amount by $17,000,000.

On page 5, line 10, increase the amount by $20,000,000.

On page 25, line 16, increase the amount by $678,000,000.

On page 25, line 17, increase the amount by $87,000,000.

On page 25, line 21, increase the amount by $391,000,000.

On page 25, line 25, increase the amount by $129,000,000.

On page 26, line 4, increase the amount by $34,000,000.

On page 26, line 8, increase the amount by $17,000,000.

On page 26, line 12, increase the amount by $20,000,000.

On page 47, line 5, increase the amount by $678,000,000.

On page 47, line 6, increase the amount by $87,000,000.

On page 47, line 15, increase the amount by $391,000,000.

SA 383. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

SEC. ___. FUNDING FOR AFTER-SCHOOL PROGRAMS.

(a) FINDINGS.—Congress finds that—

(1) Studies show that organized extracurricular activities, such as after-school programs, reduce crime, drug use, and teenage pregnancy.

(2) According to the FBI, youth are most at risk for committing violent acts and being victims of violent crimes between 3:00 p.m. and 8:00 p.m.—after school is out and before parents arrive home.

(3) There remains a great need for after-school programs. The Census Bureau reported that at least 8 to 15 million children have no place to go after school is out.

(3) There remains a great need for after-school programs. The Census Bureau reported that at least 8 to 15 million children have no place to go after school is out.

(4) Current funding for after-school programs provide almost 1.4 million children across the country a safe and enriching place to go afterschool instead of being home alone.

(5) The Administration's proposed FY 04 budget has recommended funding after school programs at $600,000,000. This represents a 40-percent cut in program funding and will result in 570,000 fewer children having access to afterschool programs.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume funding for 21st Century Community Learning Centers is at least enough to ensure the number of children participating in afterschool programs does not.

SA 384. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 4, line 15, increase the amount by $50,000,000.

On page 5, line 5, increase the amount by $50,000,000.

On page 25, line 16, increase the amount by $50,000,000.

On page 25, line 17, increase the amount by $50,000,000.

On page 79, after line 22, insert the following:

SEC. ___. FUNDING FOR IMPACT AID.

(a) FINDINGS.—Congress finds as follows:

(1) Impact Aid assists 1,275 school districts, serving 15,000,000 children. Of those children 385,171 are military dependent children.

(2) At a time when many States have initiated steep cuts in education funding, Impact Aid helps in easing the financial burden on school districts with large military populations.

(3) At a time when many military parents have been deployed overseas, schools with large military populations are reporting many students experiencing difficulty adjusting to their parents being absent or physically threatened. As a result, school officials report increased behavioral problems, academic problems, and an increased need for school-based counseling.

(4) Increased funding for Impact Aid will ensure that federally impacted schools will continue to serve some of these children's basic educational needs, as well as special needs, such as counseling for children with a parent overseas on active duty.

(5) Despite the Administration's proposed $173,000,000 cut in Impact Aid funding both the Senate and House of Representatives Committees on the Budget rejected this cut. Furthermore, the budget resolution of the House of Representatives assumes an increase in Impact Aid funding to $1,238,226,000.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the levels in this resolution assume that Impact Aid funding is funded at $1,238,226,000.

SA 385. Mr. DORGAN (for himself, Mr. FEINGOLD, Mr. DASCHLE, Mr. LEAHY, Mr. JEFFORDS, Mr. HARKIN, Ms. MIKULSKI, Mr. JOHNSON, and Mr. SARBANES) proposed an amendment to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; as follows:

On page 3, line 10, increase the amount by $1,798,000,000.

On page 3, line 11, increase the amount by $192,000,000.

On page 3, line 12, increase the amount by $29,000,000.

On page 3, line 13, increase the amount by $9,000,000.

On page 3, line 14, increase the amount by $1,000,000.

On page 4, line 1, increase the amount by $1,798,000,000.

On page 4, line 2, increase the amount by $192,000,000.

On page 4, line 3, increase the amount by $29,000,000.

On page 4, line 4, increase the amount by $9,000,000.

On page 4, line 5, increase the amount by $1,000,000.

On page 4, line 15, increase the amount by $1,003,000,000.

On page 4, line 16, decrease the amount by $43,000,000.

On page 4, line 17, decrease the amount by $52,000,000.

On page 4, line 18, decrease the amount by $58,000,000.

On page 4, line 19, decrease the amount by $61,000,000.

On page 4, line 20, decrease the amount by $65,000,000.

On page 4, line 21, decrease the amount by $69,000,000.

On page 4, line 22, decrease the amount by $73,000,000.

On page 4, line 23, decrease the amount by $77,000,000.

On page 4, line 24, decrease the amount by $81,000,000.

On page 5, line 5, increase the amount by $883,000,000.

On page 5, line 6, increase the amount by $53,000,000.

On page 5, line 7, decrease the amount by $37,000,000.

On page 5, line 8, decrease the amount by $54,000,000.

On page 5, line 9, decrease the amount by $61,000,000.

On page 5, line 10, decrease the amount by $65,000,000.

On page 5, line 11, decrease the amount by $69,000,000.

On page 5, line 12, decrease the amount by $73,000,000.

On page 5, line 13, decrease the amount by $77,000,000.

On page 5, line 14, decrease the amount by $81,000,000.

On page 5, line 18, increase the amount by $915,000,000.

On page 5, line 19, increase the amount by $139,000,000.

On page 5, line 20, increase the amount by $66,000,000.

On page 5, line 21, increase the amount by $63,000,000.

On page 5, line 22, increase the amount by $62,000,000.

On page 5, line 23, increase the amount by $65,000,000.

On page 5, line 24, increase the amount by $69,000,000.

On page 5, line 25, increase the amount by $73,000,000.

On page 6, line 1, increase the amount by $77,000,000.
On page 6, line 2, increase the amount by $81,000,000.
On page 6, line 6, decrease the amount by $915,000,000.
On page 6, line 7, decrease the amount by $1,054,000,000.
On page 6, line 8, decrease the amount by $1,121,000,000.
On page 6, line 9, decrease the amount by $1,183,000,000.
On page 6, line 10, decrease the amount by $1,245,000,000.
On page 6, line 11, decrease the amount by $1,311,000,000.
On page 6, line 12, decrease the amount by $1,380,000,000.
On page 6, line 13, decrease the amount by $1,453,000,000.
On page 6, line 14, decrease the amount by $1,531,000,000.
On page 6, line 15, decrease the amount by $1,612,000,000.
On page 6, line 19, decrease the amount by $915,000,000.
On page 6, line 20, decrease the amount by $1,054,000,000.
On page 6, line 21, decrease the amount by $1,121,000,000.
On page 6, line 22, decrease the amount by $1,183,000,000.
On page 6, line 23, decrease the amount by $1,245,000,000.
On page 6, line 24, decrease the amount by $1,311,000,000.
On page 6, line 25, decrease the amount by $1,380,000,000.
On page 7, line 1, decrease the amount by $1,453,000,000.
On page 7, line 2, decrease the amount by $1,531,000,000.
On page 7, line 3, decrease the amount by $1,612,000,000.
On page 34, line 19, increase the amount by $1,019,000,000.
On page 34, line 20, increase the amount by $899,000,000.
On page 34, line 24, increase the amount by $96,000,000.
On page 35, line 3, increase the amount by $15,000,000.
On page 35, line 7, increase the amount by $4,000,000.
On page 40, line 6, decrease the amount by $16,000,000.
On page 40, line 7, decrease the amount by $16,000,000.
On page 40, line 10, decrease the amount by $43,000,000.
On page 40, line 11, decrease the amount by $43,000,000.
On page 40, line 14, decrease the amount by $52,000,000.
On page 40, line 15, decrease the amount by $52,000,000.
On page 40, line 18, decrease the amount by $58,000,000.
On page 40, line 19, decrease the amount by $58,000,000.
On page 40, line 22, decrease the amount by $61,000,000.
On page 40, line 23, decrease the amount by $61,000,000.
On page 41, line 2, decrease the amount by $65,000,000.
On page 41, line 3, decrease the amount by $65,000,000.
On page 41, line 6, decrease the amount by $69,000,000.
On page 41, line 7, decrease the amount by $69,000,000.
On page 41, line 10, decrease the amount by $73,000,000.
On page 41, line 11, decrease the amount by $73,000,000.
On page 41, line 14, decrease the amount by $77,000,000.
On page 41, line 15, decrease the amount by $77,000,000.
On page 41, line 18, decrease the amount by $81,000,000.
On page 41, line 19, decrease the amount by $81,000,000.
On page 47, line 5, increase the amount by $1,019,000,000.
On page 47, line 6, increase the amount by $899,000,000.
On page 47, line 15, increase the amount by $96,000,000.

SA 386. Mr. HARKIN proposed an amendment to amendment SA 339 submitted by Mr. BREAUX (for himself, Ms. SNOWE, Mr. BAUCUS, and Mr. VOINOVICH) to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; as follows:

Strike all of the words after the words ''On Page 3,'' on page 1, line 1 of the amendment and insert the following:

On page 3, line 9, increase the number by $10,433,000,000.
On page 3, line 10, increase the number by $23,015,000,000.
On page 3, line 11, increase the number by $17,962,000,000.
On page 3, line 12, increase the number by $19,206,000,000.
On page 3, line 13, increase the number by $20,586,000,000.
On page 3, line 14, increase the number by $23,299,000,000.
On page 3, line 15, increase the number by $27,640,000,000.
On page 3, line 16, increase the number by $34,036,000,000.
On page 3, line 17, increase the number by $169,271,000,000.
On page 3, line 18, increase the number by $264,611,000,000.
On page 3, line 19, increase the number by $290,654,000,000.
On page 3, line 23, increase the number by $10,433,000,000.
On page 4, line 1, increase the number by $23,015,000,000.
On page 4, line 2, increase the number by $17,962,000,000.
On page 4, line 3, increase the number by $19,206,000,000.
On page 4, line 4, increase the number by $20,586,000,000.
On page 4, line 5, increase the number by $23,299,000,000.
On page 4, line 6, increase the number by $27,640,000,000.
On page 4, line 7, increase the number by $34,036,000,000.
On page 4, line 8, increase the number by $169,271,000,000.
On page 4, line 9, increase the number by $264,611,000,000.
On page 4, line 10, increase the number by $280,654,000,000.
On page 4, line 14, decrease the number by $77,000,000.
On page 4, line 15, decrease the number by $718,000,000.
On page 4, line 16, decrease the number by $1,974,000,000.
On page 4, line 17, decrease the number by $3,226,000,000.
On page 4, line 18, decrease the number by $4,552,000,000.
On page 4, line 19, decrease the number by $6,016,000,000.
On page 4, line 20, decrease the number by $8,757,000,000.
On page 4, line 21, decrease the number by $9,871,000,000.
On page 4, line 22, decrease the number by $15,921,000,000.
On page 4, line 23, decrease the number by $29,249,000,000.
On page 4, line 24, decrease the number by $44,298,000,000.
On page 5, line 4, decrease the number by $77,000,000.
On page 5, line 5, decrease the number by $718,000,000.
On page 5, line 6, decrease the number by $1,974,000,000.
On page 5, line 7, decrease the number by $3,226,000,000.
On page 5, line 8, decrease the number by $4,552,000,000.
On page 5, line 9, decrease the number by $6,016,000,000.
On page 5, line 10, decrease the number by $8,757,000,000.
On page 5, line 11, decrease the number by $9,871,000,000.
On page 5, line 12, decrease the number by $15,921,000,000.
On page 5, line 13, decrease the number by $29,249,000,000.
On page 5, line 14, decrease the number by $44,298,000,000.
On page 5, line 17, increase the number by $10,511,000,000.
On page 5, line 18, increase the number by $23,733,000,000.
On page 5, line 19, increase the number by $19,935,000,000.
On page 5, line 20, increase the number by $22,432,000,000.
On page 5, line 21, increase the number by $25,138,000,000.
On page 5, line 22, increase the number by $29,675,000,000.
On page 5, line 23, increase the number by $35,397,000,000.
On page 5, line 24, increase the number by $43,907,000,000.
On page 5, line 25, increase the number by $185,184,000,000.
On page 6, line 1, increase the number by $283,057,000,000.
On page 6, line 2, increase the number by $335,542,000,000.
On page 6, line 5, decrease the number by $10,511,000,000.
On page 6, line 6, decrease the number by $34,344,000,000.
On page 6, line 7, decrease the number by $55,179,000,000.
On page 6, line 8, decrease the number by $76,661,000,000.
On page 6, line 8, decrease the number by $101,849,000,000.
On page 6, line 9, decrease the number by $131,064,000,000.
On page 6, line 10, decrease the number by $131,064,000,000.
On page 6, line 11, decrease the number by $166,461,000,000.
On page 6, line 12, decrease the number by $210,562,000,000.
On page 6, line 13, decrease the number by $395,559,000,000.
On page 6, line 14, decrease the number by $788,716,000,000.
On page 6, line 15, decrease the number by $1,014,358,000,000.
On page 6, line 18, decrease the number by $10,511,000,000.
On page 6, line 19, decrease the number by $34,244,000,000.
On page 6, line 20, decrease the number by $54,179,000,000.
On page 6, line 21, decrease the number by $76,611,000,000.
On page 6, line 22, decrease the number by $101,749,000,000.
On page 6, line 23, decrease the number by $131,064,000,000.

On page 6, line 24, decrease the number by $176,461,000,000.
On page 6, line 25, decrease the number by $210,368,000,000.
On page 7, line 1, decrease the number by $395,559,000,000.
On page 7, line 2, decrease the number by $739,316,000,000.
On page 7, line 3, decrease the number by $1,014,258,000,000.
On page 40, line 2, decrease the number by $77,000,000.
On page 40, line 3, decrease the number by $77,000,000.
On page 40, line 6, decrease the number by $718,000,000.
On page 40, line 7, decrease the number by $718,000,000.
On page 40, line 10, decrease the number by $1,974,000,000.
On page 40, line 11, decrease the number by $1,974,000,000.
On page 40, line 14, decrease the number by $3,226,000,000.
On page 40, line 15, decrease the number by $3,226,000,000.
On page 40, line 18, decrease the number by $4,552,000,000.
On page 40, line 19, decrease the number by $4,552,000,000.
On page 40, line 22, decrease the number by $6,016,000,000.
On page 40, line 23, decrease the number by $6,016,000,000.
On page 41, line 2, decrease the number by $7,757,000,000.
On page 41, line 3, decrease the number by $7,757,000,000.
On page 41, line 6, decrease the number by $9,871,000,000.
On page 41, line 7, decrease the number by $9,871,000,000.
On page 41, line 10, decrease the number by $15,921,000,000.
On page 41, line 11, decrease the number by $15,921,000,000.
On page 41, line 14, decrease the number by $28,546,000,000.
On page 41, line 15, decrease the number by $28,546,000,000.
On page 41, line 18, decrease the number by $44,888,000,000.
On page 41, line 19, decrease the number by $44,888,000,000.
On page 45, line 24, strike the amount and insert $313,284,000,000.

SA 387. Mr. BYRD proposed an amendment to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; as follows:

On page 3, line 10, increase the amount by $912,000,000.
On page 4, line 1, increase the amount by $912,000,000.
On page 4, line 15, increase the amount by $912,000,000.
On page 5, line 5, increase the amount by $912,000,000.
On page 21 line 23, increase the amount by $912,000,000.
On page 21 line 24, increase the amount by $912,000,000.
On page 47 line 5, increase the amount by $912,000,000.
On page 47 line 6, increase the amount by $912,000,000.

SA 388. Mr. VOINOVICH submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; as follows:

At the end of subtitle A of title II, insert the following:

SEC. ___. SENSE OF THE SENATE ON REPORTS ON LIABILITIES AND FUTURE COSTS.

It is the sense of the Senate that the Congressional Budget Office shall submit consult with the Committee on the Budget of the Senate in order to prepare a report containing—

(1) an estimate of the unfunded liabilities of the Federal Government;

(2) an estimate of the contingent liabilities of Federal programs; and

(3) an accrual-based estimate of the current and future costs of Federal programs.

SA 389. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; as follows:

At the appropriate place, add the following:

SEC. ___. SENSE OF THE SENATE CONCERNING PROGRAMS OF THE CORPS OF ENGINEERS.

(a) FINDINGS.—The Senate finds that—

(1) the Corps of Engineers provides quality, responsive engineering services to the United State, including planning, designing, building, and operating invaluable water resources and civil works projects;

(2) the ports of the United States are a vital component of the economy of the United States, playing a critical role in international trade and commerce and in maintaining the energy supply of the United States;

(3) interruption of port operations would have a devastating effect on the United States;

(4) the navigation program of the Corps enables 2,400,000,000 tons of commerce to move on navigable waterways;

(5) the Department of Transportation estimates that those cargo movements have created jobs for 13,000,000 people;

(6) flood damage reduction structures provided and maintained by the Corps save taxpayers $21,000,000,000 in damages every year, in addition to numerous human lives;

(7) the Corps designs and manages the construction of military facilities for the Army and Air Force while providing support to the Department of Defense and other Federal agencies;

(8) the Civil Works program of the Corps adds significant value to the economy of the United States, including recreation and ecosystem restoration;

(9) through contracting methods, the civil works program employs thousands of private sector contract employees, as well as Federal employees, in all aspects of construction, science, engineering, architecture, management, planning, design, operations, and maintenance; and

(10) the Bureau of Labor Statistics indicates that $1,000,000,000 expended for the Civil Works program generates approximately 40,000 jobs in support of construction operation and maintenance activities in the United States.

(b) BUDGETARY ASSUMPTIONS.—It is the sense of the Senate that—

(1) to perform vital functions described in subsection (a), the Corps of Engineers requires additional funding; and

(2) the budgetary totals in this resolution assume that the level of funding provided for programs of the Corps described in subsection (a) will not be reduced below current baseline spending levels established for the programs.

SA 390. Mr. NICKLES submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; as follows:

On page 8, between lines 13 and 14, insert the following:

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2003:
(A) New budget authority, $3,812,000,000.
(B) Outlays, $3,838,000,000.
Fiscal year 2004:
(A) New budget authority, $4,257,000,000.
(B) Outlays, $4,207,000,000.
Fiscal year 2005:
(A) New budget authority, $4,338,000,000.
(B) Outlays, $4,301,000,000.
Fiscal year 2006:
(A) New budget authority, $4,424,000,000.
(B) Outlays, $4,409,000,000.
Fiscal year 2007:
(A) New budget authority, $4,522,000,000.
(B) Outlays, $4,505,000,000.
Fiscal year 2008:
(A) New budget authority, $4,638,000,000.
(B) Outlays, $4,617,000,000.
Fiscal year 2009:
(A) New budget authority, $4,792,000,000.
(B) Outlays, $4,766,000,000.
Fiscal year 2010:
(A) New budget authority, $4,954,000,000.
(B) Outlays, $4,924,000,000.
Fiscal year 2011:
(A) New budget authority, $5,121,000,000.
(B) Outlays, $5,091,000,000.
Fiscal year 2012:
(A) New budget authority, $5,292,000,000.
(B) Outlays, $5,260,000,000.
Fiscal year 2013:
(A) New budget authority, $5,471,000,000.
(B) Outlays, $5,439,000,000.

SA 391. Mr. STEVENS (for himself and Mr. NICKLES) proposed an amendment to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; as follows:

SEC. . SENSE OF THE SENATE REGARDING HIGHWAY SPENDING:

(a) FINDINGS.—The Senate makes the following findings:

(1) Highway construction funding should increase over current levels.

(2) The Senate Budget Committee-passed Resolution increases Highway funding above the President's request.

(3) All vehicles, whether they are operated by gasoline, gasohol, or electricity, do damage to our highways.

(4) As set out in TEA–21, the direct relationship between excise taxes and highway spending makes sense and should be maintained.

(5) Highways should be funded through user fees such as excise taxes and not through the General Fund of the Treasury.

(b) SENSE OF THE SENATE.—It is the Sense of the Senate that the Senate should only consider legislation that increases highway spending if such legislation charges highway user fees to pay for such increased spending.

SA 392. Mr. HARKIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $20,000,000.

On page 3, line 11, increase the amount by $670,000,000.

On page 3, line 12, increase the amount by $1,620,000,000.

On page 3, line 13, increase the amount by $2,620,000,000.

On page 3, line 14, increase the amount by $3,620,000,000.

On page 3, line 15, increase the amount by $4,620,000,000.

On page 3, line 16, increase the amount by $5,760,000,000.

On page 3, line 17, increase the amount by $11,185,000,000.

On page 3, line 18, increase the amount by $14,759,000,000.

On page 3, line 19, increase the amount by $16,138,000,000.

On page 4, line 1, increase the amount by $20,000,000.

On page 4, line 2, increase the amount by $670,000,000.

On page 4, line 3, increase the amount by $1,620,000,000.

On page 4, line 4, increase the amount by $2,620,000,000.

On page 4, line 5, increase the amount by $3,620,000,000.

On page 4, line 6, increase the amount by $4,620,000,000.

On page 4, line 7, increase the amount by $5,760,000,000.

On page 4, line 8, increase the amount by $11,185,000,000.

On page 4, line 9, increase the amount by $14,759,000,000.

On page 4, line 10, increase the amount by $16,138,000,000.

On page 4, line 15, increase the amount by $1,000,000,000.

On page 4, line 16, increase the amount by $2,000,000,000.

On page 4, line 17, increase the amount by $3,000,000,000.

On page 4, line 18, increase the amount by $4,000,000,000.

On page 4, line 19, increase the amount by $5,000,000,000.

On page 4, line 20, increase the amount by $6,000,000,000.

On page 4, line 21, increase the amount by $14,000,000,000.

On page 4, line 22, increase the amount by $15,761,000,000.

On page 4, line 23, increase the amount by $16,455,000,000.

On page 4, line 24, increase the amount by $17,131,000,000.

On page 5, line 5, increase the amount by $20,000,000.

On page 5, line 6, increase the amount by $670,000,000.

On page 5, line 7, increase the amount by $1,620,000,000.

On page 5, line 8, increase the amount by $2,620,000,000.

On page 5, line 9, increase the amount by $3,620,000,000.

On page 5, line 10, increase the amount by $4,620,000,000.

On page 5, line 11, increase the amount by $5,760,000,000.

On page 5, line 12, increase the amount by $11,185,000,000.

On page 5, line 13, increase the amount by $14,759,000,000.

On page 5, line 14, increase the amount by $16,135,000,000.

On page 25, line 16, increase the amount by $1,000,000,000.

On page 25, line 17, increase the amount by $20,000,000.

On page 25, line 20, increase the amount by $2,000,000,000.

On page 25, line 21, increase the amount by $610,000,000.

On page 25, line 24, increase the amount by $3,000,000,000.

On page 25, line 25, increase the amount by $1,620,000,000.

On page 26, line 3, increase the amount by $4,000,000,000.

On page 26, line 4, increase the amount by $2,620,000,000.

On page 26, line 7, increase the amount by $5,000,000,000.

On page 26, line 8, increase the amount by $3,620,000,000.

On page 26, line 11, increase the amount by $6,000,000,000.

On page 26, line 12, increase the amount by $4,620,000,000.

On page 26, line 15, increase the amount by $14,000,000,000.

On page 26, line 16, increase the amount by $5,760,000,000.

On page 26, line 19, increase the amount by $15,761,000,000.

On page 26, line 20, increase the amount by $11,185,000,000.

On page 26, line 23, increase the amount by $16,455,000,000.

On page 26, line 24, increase the amount by $14,759,000,000.

On page 27, line 2, increase the amount by $17,131,000,000.

On page 27, line 3, increase the amount by $16,138,000,000.

On page 45, line 24, decrease the amount by $61,011,000,000.

Strike Section 211 and insert in its place the following:

SEC. 211. RESERVE FUND FOR THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

The Chairman of the Committee on the Budget shall, in consultation with the Members of the Committee on the Budget and the Chairman and Ranking Member of the appropriate committee, increase the allocations pursuant to section 302(a) of the Congressional Budget Act of 1974 to the Committee on Health, Education, Labor, and Pensions of the Senate by up to $1,000,000,000 in new budget authority and $20,000,000 in outlays for fiscal year 2004, $15,000,000,000 in new budget authority and $8,550,000,000 in outlays for fiscal the total of years 2004 through 2008, and $84,347,000,000 in new budget authority and $61,011,000,000 in outlays for the total of fiscal years 2004 through 2013, for a bill, amendment, or conference report that would provide increased funding for part B grants, other than section 619, under the Individuals with Disabilities Education Act (IDEA), with the goal that funding for these grants, when taken together with amounts provided by the Committee on Appropriations, provides 40 percent of the national average per pupil expenditure for children with disabilities in the tenth year.

SA 393. Mr. HARKIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $228,000,000.

On page 3, line 11, increase the amount by $2,897,000,000.

On page 3, line 12, increase the amount by $1,027,000,000.

On page 3, line 13, increase the amount by $208,000,000.

On page 4, line 1, increase the amount by $228,000,000.

On page 4, line 2, increase the amount by $2,897,000,000.

On page 4, line 3, increase the amount by $1,027,000,000.

On page 4, line 4, increase the amount by $208,000,000.

On page 4, line 15, increase the amount by $2,178,000,000.

On page 4, line 16, decrease the amount by $43,000,000.

On page 4, line 17, decrease the amount by $98,000,000.

On page 4, line 18, decrease the amount by $121,000,000.

On page 4, line 19, decrease the amount by $131,000,000.

On page 4, line 20, decrease the amount by $138,000,000.

On page 4, line 21, decrease the amount by $146,000,000.

On page 4, line 22, decrease the amount by $154,000,000.

On page 4, line 23, decrease the amount by $163,000,000.

On page 4, line 24, decrease the amount by $172,000,000.

On page 5, line 5, increase the amount by $112,000,000.

On page 5, line 6, increase the amount by $1,406,000,000.

On page 5, line 7, increase the amount by $415,000,000.

On page 5, line 8, decrease the amount by $17,000,000.

On page 5, line 9, decrease the amount by $131,000,000.

On page 5, line 10, decrease the amount by $138,000,000.

On page 5, line 11, decrease the amount by $146,000,000.

On page 5, line 12, decrease the amount by $154,000,000.

On page 5, line 13, decrease the amount by $163,000,000.

On page 5, line 14, decrease the amount by $172,000,000.

On page 5, line 18, increase the amount by $116,000,000.

On page 5, line 19, increase the amount by $1,491,000,000.

On page 5, line 20, increase the amount by $611,000,000.

On page 5, line 21, increase the amount by $225,000,000.

On page 5, line 22, increase the amount by $131,000,000.

On page 5, line 23, increase the amount by $138,000,000.

On page 5, line 24, increase the amount by $146,000,000.

On page 5, line 25, increase the amount by $154,000,000.

On page 6, line 1, increase the amount by $163,000,000.

On page 6, line 2, increase the amount by $172,000,000.

On page 6, line 6, decrease the amount by $116,000,000.

On page 6, line 7, decrease the amount by $1,607,000,000.

On page 6, line 8, decrease the amount by $2.219,000,000.

On page 6, line 8, decrease the amount by $2,444,000,000.

On page 6, line 10, decrease the amount by $2,575,000,000.

On page 6, line 11, decrease the amount by $2,713,000,000.

On page 6, line 12, decrease the amount by $2,860,000,000.
On page 6, line 13, decrease the amount by $3,014,000,000.
On page 6, line 14, decrease the amount by $3,177,000,000.
On page 6, line 15, decrease the amount by $3,348,000,000.
On page 6, line 19, decrease the amount by $116,000,000.
On page 6, line 20, decrease the amount by $1,607,000,000.
On page 6, line 21, decrease the amount by $2,219,000,000.
On page 6, line 22, decrease the amount by $2,444,000,000.
On page 6, line 23, decrease the amount by $2,575,000,000.
On page 6, line 24, decrease the amount by $2,713,000,000.
On page 6, line 25, decrease the amount by $2,860,000,000.
On page 7, line 1, decrease the amount by $3,014,000,000.
On page 7, line 2, decrease the amount by $3,177,000,000.
On page 7, line 3, decrease the amount by $3,348,000,000.
On page 25, line 16, increase the amount by $2,180,000,000.
On page 25, line 17, increase the amount by $114,000,000.
On page 25, line 21, increase the amount by $1,449,000,000.
On page 25, line 25, increase the amount by $513,000,000.
On page 26, line 4, increase the amount by $104,000,000.
On page 40, line 6, decrease the amount by $2,000,000.
On page 40, line 7, decrease the amount by $2,000,000.
On page 40, line 10, decrease the amount by $43,000,000.
On page 40, line 11, decrease the amount by $43,000,000.
On page 40, line 14, decrease the amount by $98,000,000.
On page 40, line 15, decrease the amount by $98,000,000.
On page 40, line 18, decrease the amount by $121,000,000.
On page 40, line 19, decrease the amount by $121,000,000.
On page 40, line 22, decrease the amount by $131,000,000.
On page 40, line 23, decrease the amount by $131,000,000.
On page 41, line 2, decrease the amount by $138,000,000.
On page 41, line 3, decrease the amount by $138,000,000.
On page 41, line 6, decrease the amount by $146,000,000.
On page 41, line 7, decrease the amount by $146,000,000.
On page 41, line 10, decrease the amount by $154,000,000.
On page 41, line 11, decrease the amount by $154,000,000.
On page 41, line 14, decrease the amount by $163,000,000.
On page 41, line 15, decrease the amount by $163,000,000.
On page 41, line 18, decrease the amount by $172,000,000.
On page 41, line 19, decrease the amount by $172,000,000.
On page 45, line 24, decrease the amount by $4,360,000,000.
On page 47, line 5, increase the amount by $2,180,000,000.
On page 47, line 6, increase the amount by $114,000,000.
On page 47, line 15, increase the amount by $1,449,000,000.

SA 394. Mr. DURBIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 9, increase the amount by $2,500,000,000.
On page 3, line 23, increase the amount by $2,500,000,000.
On page 4, line 14, increase the amount by $2,500,000,000.
On page 5, line 4, increase the amount by $2,500,000,000.
On page 8, line 23, increase the amount by $2,500,000,000.
On page 8, line 24, increase the amount by $2,500,000,000.
On page 46, line 20, increase the amount by $2,500,000,000.
On page 46, line 21, increase the amount by $2,500,000,000.
On page 45, line 24, decrease the amount by $2,500,000,000.

SA 395. Mr. DORGAN (for himself, Mr. HAGEL, and Mr. BROWNBACK) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 23 line 19, increase the amount by $260,000,000.
On page 23, line 20, increase the amount by $18,000,000.
On page 23, line 23, increase the amount by $260,000,000.
On page 23, line 24, increase the amount by $299,000,000.
On page 24, line 2, increase the amount by $260,000,000.
On page 24, line 3, increase the amount by $242,000,000.
On page 24, line 6, increase the amount by $260,000,000.
On page 24, line 7, increase the amount by $257,000,000.
On page 24, line 10, increase the amount by $260,000,000.
On page 24, line 11, increase the amount by $260,000,000.
On page 24, line 14, increase the amount by $260,000,000.
On page 24, line 15, increase the amount by $260,000,000.
On page 24, line 18, increase the amount by $260,000,000.
On page 24, line 19, increase the amount by $260,000,000.
On page 24, line 22, increase the amount by $260,000,000.
On page 24, line 23, increase the amount by $260,000,000.
On page 25, line 2, increase the amount by $260,000,000.
On page 25, line 3, increase the amount by $260,000,000.
On page 25, line 6, increase the amount by $260,000,000.
On page 25, line 7, increase the amount by $260,000,000.
On page 25, line 16, increase the amount by $660,000,000.
On page 25, line 17, increase the amount by $561,000,000.
On page 25, line 20, increase the amount by $60,000,000.
On page 25, line 21, increase the amount by $150,000,000.
On page 25, line 24, increase the amount by $60,000,000.
On page 25, line 25, increase the amount by $60,000,000.
On page 26, line 3, increase the amount by $60,000,000.
On page 26, line 4, increase the amount by $60,000,000.
On page 26, line 7, increase the amount by $60,000,000.
On page 26, line 8, increase the amount by $60,000,000.
On page 26, line 11, increase the amount by $60,000,000.
On page 26, line 12, increase the amount by $60,000,000.
On page 26, line 16, increase the amount by $60,000,000.
On page 26, line 16, increase the amount by $60,000,000.
On page 26, line 19, increase the amount by $60,000,000.
On page 26, line 20, increase the amount by $60,000,000.
On page 26, line 23, increase the amount by $60,000,000.
On page 26, line 24, increase the amount by $60,000,000.
On page 27, line 2, increase the amount by $60,000,000.
On page 27, line 3, increase the amount by $60,000,000.
On page 42, line 2, decrease the amount by $920,000,000.
On page 42, line 3, decrease the amount by $579,000,000.
On page 42, line 6, decrease the amount by $320,000,000.
On page 42, line 7, decrease the amount by $449,000,000.
On page 42, line 10, decrease the amount by $320,000,000.
On page 42, line 11, decrease the amount by $302,000,000.
On page 42, line 14, decrease the amount by $320,000,000.
On page 42, line 15, decrease the amount by $317,000,000.
On page 42, line 18, decrease the amount by $320,000,000.
On page 42, line 19, decrease the amount by $320,000,000.
On page 42, line 22, decrease the amount by $320,000,000.
On page 42, line 23, decrease the amount by $320,000,000.
On page 43, line 2, decrease the amount by $320,000,000.
On page 43, line 3, decrease the amount by $320,000,000.
On page 43, line 6, decrease the amount by $320,000,000.
On page 43, line 7, decrease the amount by $320,000,000.
On page 43, line 10, decrease the amount by $320,000,000.
On page 43, line 11, decrease the amount by $320,000,000.
On page 43, line 14, decrease the amount by $320,000,000.
On page 43, line 15, decrease the amount by $320,000,000.
On page 79, after line 22, insert the following:

SEC. . SENSE OF THE SENATE ON PROVIDING TAX AND OTHER INCENTIVES TO REVITALIZE RURAL AMERICA.

It is the Sense of the Senate that if tax relief measures are passed in accordance with the assumptions in the budget resolution in this session of Congress, such legislation should include tax and other financial incentives, like those included in the New Homestead Act (S. 602), to help rural communities fight the economic decimation caused by chronic out-migration by giving them the

tools they need to attract individuals to live and work, or to start and grow a business, in such rural areas.

SA 396. Mr. HARKIN (for himself, Mrs. MURRAY, Mr. KOHL, Ms. CANTWELL, Mr. BINGAMAN, Mr. JOHNSON, Mr. DORGAN, and Mr. INOUYE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $1,000,000,000.

On page 3, line 11, increase the amount by $1,500,000,000.

On page 3, line 12, increase the amount by $2,000,000,000.

On page 3, line 13, increase the amount by $2,500,000,000.

On page 3, line 14, increase the amount by $3,000,000,000.

On page 3, line 15, increase the amount by $3,000,000,000.

On page 3, line 16, increase the amount by $3,000,000,000.

On page 3, line 17, increase the amount by $3,000,000,000.

On page 3, line 18, increase the amount by $3,000,000,000.

On page 3, line 19, increase the amount by $3,000,000,000.

On page 4, line 1, increase the amount by $1,000,000,000.

On page 4, line 2, increase the amount by $1,500,000,000.

On page 4, line 3, increase the amount by $2,000,000,000.

On page 4, line 4, increase the amount by $2,500,000,000.

On page 4, line 5, increase the amount by $3,000,000,000.

On page 4, line 6, increase the amount by $3,000,000,000.

On page 4, line 7, increase the amount by $3,000,000,000.

On page 4, line 8, increase the amount by $3,000,000,000.

On page 4, line 9, increase the amount by $3,000,000,000.

On page 4, line 10, increase the amount by $3,000,000,000.

On page 4, line 15, increase the amount by $1,000,000,000.

On page 4, line 16, increase the amount by $1,500,000,000.

On page 4, line 17, increase the amount by $2,000,000,000.

On page 4, line 18, increase the amount by $2,500,000,000.

On page 4, line 19, increase the amount by $3,000,000,000.

On page 4, line 20, increase the amount by $3,000,000,000.

On page 4, line 21, increase the amount by $3,000,000,000.

On page 4, line 22, increase the amount by $3,000,000,000.

On page 4, line 23, increase the amount by $3,000,000,000.

On page 4, line 24, increase the amount by $3,000,000,000.

On page 5, line 5, increase the amount by $1,000,000,000.

On page 5, line 6, increase the amount by $1,500,000,000.

On page 5, line 7, increase the amount by $2,000,000,000.

On page 5, line 8, increase the amount by $2,500,000,000.

On page 5, line 9, increase the amount by $3,000,000,000.

On page 5, line 10, increase the amount by $3,000,000,000.

On page 5, line 11, increase the amount by $3,000,000,000.

On page 5, line 12, increase the amount by $3,000,000,000.

On page 5, line 13, increase the amount by $3,000,000,000.

On page 5, line 14, increase the amount by $3,000,000,000.

On page 29, line 6, increase the amount by $1,000,000,000.

On page 29, line 7, increase the amount by $1,000,000,000.

On page 29, line 10, increase the amount by $1,500,000,000.

On page 29, line 11, increase the amount by $1,500,000,000.

On page 29, line 14, increase the amount by $2,000,000,000.

On page 29, line 15, increase the amount by $2,000,000,000.

On page 29, line 18, increase the amount by $2,500,000,000.

On page 29, line 19, increase the amount by $2,500,000,000.

On page 29, line 22, increase the amount by $3,000,000,000.

On page 29, line 23, increase the amount by $3,000,000,000.

On page 30, line 2, increase the amount by $3,000,000,000.

On page 30, line 3, increase the amount by $3,000,000,000.

On page 30, line 6, increase the amount by $3,000,000,000.

On page 30, line 7, increase the amount by $3,000,000,000.

On page 30, line 10, increase the amount by $3,000,000,000.

On page 30, line 11, increase the amount by $3,000,000,000.

On page 30, line 14, increase the amount by $3,000,000,000.

On page 30, line 15, increase the amount by $3,000,000,000.

On page 30, line 18, increase the amount by $3,000,000,000.

On page 30, line 19, increase the amount by $3,000,000,000.

On page 61, beginning with ''or promotes'' on line 12 strike all through ''$400,000,000,000'' on line 19 and insert ''and promotes geographic equity payments of which $25,000,000,000 shall be for legislation reducing the geographic disparity in Medicare reimbursement payments to health care providers and hospitals. The chairman of the Committee on the Budget may revise committee allocations for that committee and other appropriate budgetary aggregates and allocations of new budget authority (and the outlays resulting therefrom) in this resolution by the amount provided by that measure for that purpose, but not to exceed $425,000,000,000''.

SA 397. Mr. KERRY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 9, decrease the amount by $63,441,000,000.

On page 3, line 10, increase the amount by $65,685,000,000.

On page 3, line 11, increase the amount by $97,978,000,000.

On page 3, line 12, increase the amount by $77,675,000,000.

On page 3, line 13, increase the amount by $59,192,000,000.

On page 3, line 14, increase the amount by $56,706,000,000.

On page 3, line 15, increase the amount by $55,640,000,000.

On page 3, line 16, increase the amount by $56,036,000,000.

On page 3, line 17, increase the amount by $185,271,000,000.

On page 3, line 18, increase the amount by $278,611,000,000.

On page 3, line 19, increase the amount by $294,654,000,000.

On page 3, line 23, increase the amount by $63,441,000,000.

On page 4, line 1, increase the amount by $65,685,000,000.

On page 4, line 2, increase the amount by $97,978,000,000.

On page 4, line 3, increase the amount by $77,675,000,000.

On page 4, line 4, increase the amount by $59,192,000,000.

On page 4, line 5, increase the amount by $56,706,000,000.

On page 4, line 6, increase the amount by $55,640,000,000.

On page 4, line 7, increase the amount by $56,036,000,000.

On page 4, line 8, increase the amount by $185,271,000,000.

On page 4, line 9, increase the amount by $278,611,000,000.

On page 4, line 10, increase the amount by $294,654,000,000.

On page 4, line 14, decrease the amount by $3,943,000,000.

On page 4, line 15, decrease the amount by $613,000,000.

On page 4, line 16, decrease the amount by $7,650,000,000.

On page 4, line 17, decrease the amount by $12,304,000,000.

On page 4, line 18, decrease the amount by $16,253,000,000.

On page 4, line 19, decrease the amount by $20,366,000,000.

On page 4, line 20, decrease the amount by $24,295,000,000.

On page 4, line 21, decrease the amount by $27,358,000,000.

On page 4, line 22, decrease the amount by $33,124,000,000.

On page 4, line 23, decrease the amount by $59,290,000,000.

On page 4, line 24, decrease the amount by $77,387,000,000.

On page 5, line 4, decrease the amount by $3,943,000,000.

On page 5, line 5, decrease the amount by $613,000,000.

On page 5, line 6, decrease the amount by $7,650,000,000.

On page 5, line 7, decrease the amount by $12,304,000,000.

On page 5, line 8, decrease the amount by $16,523,000,000.

On page 5, line 9, decrease the amount by $20,366,000,000.

On page 5, line 10, decrease the amount by $24,295,000,000.

On page 5, line 11, decrease the amount by $27,358,000,000.

On page 5, line 12, decrease the amount by $33,124,000,000.

On page 5, line 13, decrease the amount by $59,290,000,000.

On page 5, line 14, decrease the amount by $77,387,000,000.

On page 5, line 17, decrease the amount by $59,498,000,000.

On page 5, line 18, increase the amount by $66,298,000,000.

On page 5, line 19, increase the amount by $105,628,000,000.

On page 5, line 20, increase the amount by $89,979,000,000.

On page 5, line 21, increase the amount by $75,715,000,000.

On page 5, line 22, increase the amount by $77,072,000,000.
On page 5, line 23, increase the amount by $79,935,000,000.
On page 5, line 24, increase the amount by $83,394,000,000.
On page 5, line 25, increase the amount by $218,395,000,000.
On page 6, line 1, increase the amount by $337,901,000,000.
On page 6, line 2, increase the amount by $372,041,000,000.
On page 6, line 5, increase the amount by $59,498,000,000.
On page 6, line 6, decrease the amount by $6,800,000,000.
On page 6, line 7, decrease the amount by $112,428,000,000.
On page 6, line 8, decrease the amount by $202,408,000,000.
On page 6, line 9, decrease the amount by $278,122,000,000.
On page 6, line 10, decrease the amount by $355,194,000,000.
On page 6, line 11, decrease the amount by $435,129,000,000.
On page 6, line 12, decrease the amount by $518,523,000,000.
On page 6, line 13, decrease the amount by $736,919,000,000.
On page 6, line 14, decrease the amount by $1,074,820,000,000.
On page 6, line 15, decrease the amount by $1,446,861,000,000.
On page 6, line 18, increase the amount by $58,498,000,000.
On page 6, line 19, decrease the amount by $6,800,000,000.
On page 6, line 20, decrease the amount by $112,428,000,000.
On page 6, line 21, decrease the amount by $202,408,000,000.
On page 6, line 22, decrease the amount by $278,122,000,000.
On page 6, line 23, decrease the amount by $355,194,000,000.
On page 6, line 24, decrease the amount by $435,129,000,000.
On page 6, line 25, decrease the amount by $518,523,000,000.
On page 7, line 1, decrease the amount by $736,919,000,000.
On page 7, line 2, decrease the amount by $1,074,820,000,000.
On page 7, line 3, decrease the amount by $1,446,861,000,000.
On page 30, line 23, decrease the amount by $4,380,000,000.
On page 30, line 24, decrease the amount by $4,380,000,000.
On page 31, line 2, decrease the amount by $1,111,000,000.
On page 31, line 3, decrease the amount by $1,111,000,000.
On page 31, line 6, decrease the amount by $4,586,000,000.
On page 31, line 7, decrease the amount by $4,586,000,000.
On page 31, line 10, decrease the amount by $4,165,000,000.
On page 31, line 11, decrease the amount by $4,165,000,000.
On page 31, line 14, decrease the amount by $3,833,000,000.
On page 31, line 15, decrease the amount by $3,833,000,000.
On page 31, line 18, decrease the amount by $3,698,000,000.
On page 31, line 19, decrease the amount by $3,698,000,000.
On page 31, line 22, decrease the amount by $3,511,000,000.
On page 31, line 23, decrease the amount by $3,511,000,000.
On page 32, line 2, decrease the amount by $2,192,000,000.
On page 32, line 3, decrease the amount by $2,192,000,000.
On page 32, line 6, increase the amount by $26,000,000.
On page 32, line 7, increase the amount by $26,000,000.
On page 32, line 10, decrease the amount by $11,458,000,000.
On page 32, line 11, decrease the amount by $11,458,000,000.
On page 32, line 14, decrease the amount by $10,901,000,000.
On page 32, line 15, decrease the amount by $10,901,000,000.
On page 40, line 2, increase the amount by $437,000,000.
On page 40, line 3, increase the amount by $437,000,000.
On page 40, line 6, increase the amount by $498,000,000.
On page 40, line 7, increase the amount by $498,000,000.
On page 40, line 10, decrease the amount by $3,064,000,000.
On page 40, line 11, decrease the amount by $3,064,000,000.
On page 40, line 14, decrease the amount by $8,139,000,000.
On page 40, line 15, decrease the amount by $8,139,000,000.
On page 40, line 18, decrease the amount by $12,690,000,000.
On page 40, line 19, decrease the amount by $12,690,000,000.
On page 40, line 22, decrease the amount by $16,668,000,000.
On page 40, line 23, decrease the amount by $16,668,000,000.
On page 41, line 2, decrease the amount by $20,748,000,000.
On page 41, line 3, decrease the amount by $20,748,000,000.
On page 41, line 6, decrease the amount by $25,166,000,000.
On page 41, line 7, decrease the amount by $25,166,000,000.
On page 41, line 10, decrease the amount by $33,150,000,000.
On page 41, line 11, decrease the amount by $33,150,000,000.
On page 41, line 14, decrease the amount by $47,832,000,000.
On page 41, line 15, decrease the amount by $47,832,000,000.
On page 41, line 18, decrease the amount by $66,486,000,000.
On page 41, line 19, decrease the amount by $66,486,000,000.
Strike section 104(b).

SA 398. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $400,000,000.
On page 3, line 11, increase the amount by $375,000,000.
On page 3, line 12, increase the amount by $175,000,000.
On page 3, line 13, increase the amount by $50,000,000.
On page 3, line 14, increase the amount by $25,000,000.
On page 3, line 15, increase the amount by $15,000,000.
On page 4, line 1, increase the amount by $400,000,000.
On page 4, line 2, increase the amount by $375,000,000.
On page 4, line 3, increase the amount by $175,000,000.
On page 4, line 4, increase the amount by $50,000,000.
On page 4, line 5, increase the amount by $25,000,000.
On page 4, line 6, increase the amount by $15,000,000.
On page 4, line 15, increase the amount by $1,047,426,416.
On page 5, line 5, increase the amount by $400,000,000.
On page 5, line 6, increase the amount by $375,000,000.
On page 5, line 7, increase the amount by $175,000,000.
On page 5, line 8, increase the amount by $50,000,000.
On page 5, line 9, increase the amount by $25,000,000.
On page 5, line 10, increase the amount by $15,000,000.
On page 9, line 2, increase the amount by $1,047,426,416.
On page 9, line 3, increase the amount by $400,000,000.
On page 9, line 7, increase the amount by $375,000,000.
On page 9, line 11, increase the amount by $175,000,000.
On page 9, line 15, increase the amount by $50,000,000.
On page 9, line 19, increase the amount by $25,000,000.
On page 9, line 23, increase the amount by $15,000,000.
On page 47, line 5, increase the amount by $1,047,426,416.
On page 47, line 6, increase the amount by $400,000,000.
On page 47, line 15, increase the amount by $375,000,000.

SA 399. Mr. ENSIGN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

At the appropriate place strike the language creating a Reserve Fund for Iraq operations and reconstruction costs and add the following

"SEC. 220 RESERVE FUND FOR MILITARY ACTION AND RECONSTRUCTION IN IRAQ.

Upon favorable reporting of legislation by the committee on Appropriations of the Senate making discretionary appropriations in excess of the levels assumed in this resolution for expenses for possible military action and reconstruction in Iraq in fiscal years 2003 through 2013, the Chairman of the Committee on the Budget of the Senate, may revise the level of total new budget authority and outlays, the functional totals, allocations, discretionary spending limits and levels of deficits and debt in this resolution by up to $100 billion in budget authority and outlays.''

On page 42, line 2, decrease the amount by $10,000,000,000.
On page 42, line 3, decrease the amount by $10,000,000,000.
On page 42, line 6, increase the amount by $10,000,000,000.
On page 42, line 7, decrease the amount by $10,000,000,000.
On page 42, line 10, decrease the amount by $10,000,000,000.
On page 42, line 11, decrease the amount by $10,000,000,000.
On page 42, line 14, decrease the amount by $10,000,000,000.
On page 42, line 15, decrease the amount by $10,000,000,000.

On page 42, line 18, decrease the amount by $10,000,000,000.
On page 42, line 19, decrease the amount by $10,000,000,000.
On page 42, line 22, decrease the amount by $10,000,000,000.
On page 42, line 23, decrease the amount by $10,000,000,000.
On page 43, line 2, decrease the amount by $10,000,000,000.
On page 43, line 3, decrease the amount by $10,000,000,000.
On page 43, line 6, decrease the amount by $10,000,000,000.
On page 43, line 7, decrease the amount by $10,000,000,000.
On page 43, line 10, decrease the amount by $10,000,000,000.
On page 43, line 11, decrease the amount by $10,000,000,000.
On page 43, line 14, decrease the amount by $10,000,000,000.
On page 43, line 15, decrease the amount by $10,000,000,000.

SA 400. Mr. LUGAR submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 10, line 23, increase the amount by $1,115,000,000.
On page 10, line 24, increase the amount by $675,000,000.
On page 11, line 2, increase the amount by $834,000,000.
On page 11, line 3, increase the amount by $830,000,000.
On page 11, line 6, increase the amount by $560,000,000.
On page 11, line 7, increase the amount by $641,000,000.
On page 11, line 10, increase the amount by $294,000,000.
On page 11, line 11, increase the amount by $392,000,000.
On page 11, line 14, increase the amount by $28,000,000.
On page 11, line 15, increase the amount by $130,000,000.
On page 11, line 18, decrease the amount by $242,000,000.
On page 11, line 19, decrease the amount by $130,000,000.
On page 11, line 22, decrease the amount by $505,000,000.
On page 11, line 23, decrease the amount by $397,000,000.
On page 12, line 2, decrease the amount by $767,000,000.
On page 12, line 3, decrease the amount by $656,000,000.
On page 12, line 6, decrease the amount by $1,034,000,000.
On page 12, line 7, decrease the amount by $924,000,000.
On page 12, line 10, decrease the amount by $1,298,000,000.
On page 12, line 11, decrease the amount by $1,188,000,000.
On page 42, line 2, decrease the amount by $1,115,000,000.
On page 42, line 3, decrease the amount by $675,000,000.
On page 42, line 6, decrease the amount by $834,000,000.
On page 42, line 7, decrease the amount by $830,000,000.
On page 42, line 10, decrease the amount by $560,000,000.
On page 42, line 11, decrease the amount by $641,000,000.
On page 42, line 14, decrease the amount by $294,000,000.
On page 42, line 15, decrease the amount by $392,000,000.
On page 42, line 18, decrease the amount by $28,000,000.
On page 42, line 19, decrease the amount by $130,000,000.
On page 42, line 22, increase the amount by $242,000,000.
On page 42, line 23, increase the amount by $130,000,000.
On page 43, line 2, increase the amount by $505,000,000.
On page 43, line 3, increase the amount by $397,000,000.
On page 43, line 6, increase the amount by $767,000,000.
On page 43, line 7, increase the amount by $656,000,000.
On page 43, line 10, increase the amount by $1,034,000,000.
On page 43, line 11, increase the amount by $924,000,000.
On page 43, line 14, increase the amount by $1,298,000,000.
On page 43, line 15, increase the amount by $1,188,000,000.

SA 401. Mr. SPECTER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal year 2005 through 2013; which was ordered to lie on the table; as follows:

On page 27, line 11, increase the amount by $2,800,000,000.
On page 27, line 12, increase the amount by $2,800,000,000.
On page 42, line 2, decrease the amount by $2,800,000,000.
On page 42, line 3, decrease the amount by $2,800,000,000.

SA 402. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 12, decrease the amount by $264,000,000.
On page 3, line 13, decrease the amount by $428,000,000.
On page 3, line 14, decrease the amount by $452,000,000.
On page 3, line 15, decrease the amount by $478,000,000.
On page 3, line 16, decrease the amount by $507,000,000.
On page 3, line 17, decrease the amount by $539,000,000.
On page 3, line 18, decrease the amount by $572,000,000.
On page 3, line 19, decrease the amount by $607,000,000.
On page 4, line 3, decrease the amount by $264,000,000.
On page 4, line 4, decrease the amount by $428,000,000.
On page 4, line 5, decrease the amount by $952,000,000.
On page 4, line 6, decrease the amount by $478,000,000.
On page 4, line 7, decrease the amount by $507,000,000.
On page 4, line 8, decrease the amount by $539,000,000.
On page 4, line 9, decrease the amount by $572,000,000.
On page 4, line 10, decrease the amount by $607,000,000.
On page 4, line 17, increase the amount by $7,000,000.
On page 4, line 18, increase the amount by $26,000,000.
On page 4, line 19, increase the amount by $52,000,000.
On page 4, line 20, increase the amount by $80,000,000.
On page 4, line 21, increase the amount by $111,000,000.
On page 4, line 22, increase the amount by $145,000,000.
On page 4, line 23, increase the amount by $183,000,000.
On page 4, line 24, increase the amount by $225,000.
On page 5, line 7, increase the amount by $7,000,000.
On page 5, line 8, increase the amount by $26,000,000.
On page 5, line 9, increase the amount by $52,000,000.
On page 5, line 10, increase the amount by $80,000,000.
On page 5, line 11, increase the amount by $111,000,000.
On page 5, line 12, increase the amount by $145,000,000.
On page 5, line 13, increase the amount by $183,000,000.
On page 5, line 14, increase the amount by $225,000,000.
On page 5, line 20, increase the amount by $271,000,000.
On page 5, line 21, increase the amount by $454,000,000.
On page 5, line 22, increase the amount by $504,000,000.
On page 5, line 23, increase the amount by $558,000,000.
On page 5, line 24, increase the amount by $618,000,000.
On page 5, line 25, increase the amount by $684,000,000.
On page 6, line 1, increase the amount by $755,000,000.
On page 6, line 2, increase the amount by $832,000,000.
On page 6, line 8, increase the amount by $271,000,000.
On page 6, line 9, increase the amount by $725,000,000.
On page 6, line 10, increase the amount by $1,229,000,000.
On page 6, line 11, increase the amount by $1,787,000,000.
On page 6, line 12, increase the amount by $2,404,000,000.
On page 6, line 13, increase the amount by $3,088,000,000.
On page 6, line 14, increase the amount by $3,843,000,000.
On page 6, line 15, increase the amount by $4,675,000,000.
On page 6, line 21, increase the amount by $271,000,000.
On page 6, line 22, increase the amount by $725,000,000.
On page 6, line 23, increase the amount by $1,229,000,000.
On page 6, line 24, increase the amount by $1,787,000,000.
On page 6, line 25, increase the amount by $2,404,000,000.
On page 7, line 1, increase the amount by $3,088,000,000.
On page 7, line 2, increase the amount by $3,843,000,000.
On page 7, line 3, increase the amount by $4,675,000,000.
On page 40, line 14, increase the amount by $7,000,000.
On page 40, line 15, increase the amount by $7,000,000.

On page 40, line 18, increase the amount by $26,000,000.

On page 40, line 19, increase the amount by $26,000,000.

On page 40, line 22, increase the amount by $52,000,000.

On page 40, line 23, increase the amount by $52,000,000.

On page 41, line 2, increase the amount by $80,000,000.

On page 41, line 3, increase the amount by $80,000,000.

On page 41, line 6, increase the amount by $111,000,000.

On page 41, line 7, increase the amount by $111,000,000

On page 41, line 10, increase the amount by $145,000,000.

On page 41, line 11, increase the amount by $145,000,000.

On page 41, line 14, increase the amount by $183,000,000.

On page 41, line 15, increase the amount by $183,000,000.

On page 41, line 18, increase the amount by $225,000,000.

On page 41, line 19, increase the amount by $225,000,000.

At the appropriate place, insert the following: ''It is the Sense of the Senate that the Congress should endorse the use Trade Promotion Procedures to negotiate a free trade agreement with the United Kingdom.''

SA 403. Mr. INHOFE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 25, line 16, increase the amount by $112,000,000.

On page 25, line 17, increase the amount by $100,800,000.

On page 25, line 21, increase the amount by $4,480,000.

On page 25, line 25, increase the amount by $3,360,000.

On page 26, line 4, increase the amount by $2,240,000.

On page 26, line 8, increase the amount by $1,120,000.

On page 42, line 2, decrease the amount by $112,000,000.

On page 42, line 3, decrease the amount by $100,800,000.

On page 42, line 7, decrease the amount by $4,480,000.

On page 42, line 11, decrease the amount by $3,360,000.

On page 42, line 15, decrease the amount by $2,240,000.

On page 42, line 19, decrease the amount by $1,120,000.

SA 404. Mr. NICKLES submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Governments for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 79, after line 22, add the following:

SEC. . SENSE OF THE SENATE.

It is the sense of the Senate that the budgetary totals in this concurrent resolution assume that the September 11th Victim Compensation Fund of 2001 (49 U.S.C. 40101 note; Public Law 107–42) may be amended to provide compensation for other victims of terrorism as may be determined by the Senate.

SA 405. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 79, after line 22, add the following:

SEC. . SENSE OF THE SENATE.

It is the sense of the Senate that the budgetary totals in this concurrent resolution assume that the September 11th Victim Compensation Fund of 2001 (49 U.S.C. 40101 note; Public Law 107–42) should be amended to provide that at least 90 percent of any award from the Fund should go to victims and their families.

SA 406. Ms. STABENOW submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 27, line 11, increase the amount by $50,000,000.

On page 27, line 12, increase the amount by $50,000,000.

On page 27, line 15, increase the amount by $120,000,000.

On page 27, line 16, increase the amount by $120,000,000.

On page 27, line 19, increase the amount by $210,000,000.

On page 27, line 20, increase the amount by $210,000,000.

On page 27, line 23, increase the amount by $340,000,000.

On page 27, line 24, increase the amount by $340,000,000.

On page 28, line 2, increase the amount by $520,000,000.

On page 28, line 3, increase the amount by $520,000,000.

On page 28, line 6, increase the amount by $720,000,000.

On page 28, line 7, increase the amount by $720,000,000.

On page 28, line 10, increase the amount by $970,000,000.

On page 28, line 11, increase the amount by $970,000,000.

On page 28, line 14, increase the amount by $1,200,000,000.

On page 28, line 15, increase the amount by $1,200,000,000.

On page 28, line 18, increase the amount by $1,500,000,000.

On page 28, line 19, increase the amount by $1,500,000,000.

On page 28, line 22, increase the amount by $1,800,000,000.

On page 28, line 23, increase the amount by $1,800,000,000.

On page 42, line 2, decrease the amount by $50,000,000.

On page 42, line 3, decrease the amount by $50,000,000.

On page 42, line 6, decrease the amount by $120,000,000.

On page 42, line 7, decrease the amount by $120,000,000.

On page 42, line 10, decrease the amount by $210,000,000.

On page 42, line 11, decrease the amount by $210,000,000.

On page 42, line 14, decrease the amount by $340,000,000.

On page 42, line 15, decrease the amount by $340,000,000.

On page 42, line 18, decrease the amount by $520,000,000.

On page 42, line 19, decrease the amount by $520,000,000.

On page 42, line 22, decrease the amount by $720,000,000.

On page 42, line 23, decrease the amount by $720,000,000.

On page 43, line 2, decrease the amount by $970,000,000.

On page 43, line 3, decrease the amount by $970,000,000.

On page 43, line 6, decrease the amount by $1,200,000,000.

On page 43, line 7, decrease the amount by $1,200,000,000.

On page 43, line 10, decrease the amount by $1,500,000,000.

On page 43, line 11, decrease the amount by $1,500,000,000.

On page 44, line 14, decrease the amount by $1,800,000,000.

On page 41, line 15, decrease the amount by $1,800,000,000.

On page 62, after line 13, insert the following:

Reserve Fund for Generic Drug Reform Savings:

If the Committee on Health, Education, Labor and Pensions or the Committee on Finance reports a bill or joint resolution, or an amendment thereto is offered, or a conference report thereon is submitted, that provides for the lowering of prescription drug prices similar to S. 812, a bill passed by the U.S. Senate on July 31, 2002, that contained provisions relating to generic drug reform, reimportation of prescription drugs from Canada, and State authority with respect to Medicaid drug rebate agreements (as jurisdiction allows), the chairman of the Committee on Budget may revise the allocations of the Committee on Finance and other appropriate budgetary allocations of new budget authority or revenue aggregate (and outlays resulting therefrom) in this resolution by the savings provided by that measure for health coverage for the uninsured, including tax incentives to help small businesses provide coverage for their employees, or for a Medicare prescription benefit, for the period of fiscal year 2004 through 2013.''

SA 407. Ms. STABENOW (for herself, Mr. HARKIN, Mr. LEAHY, Mr. JOHNSON, Mrs. MURRAY, Mr. DAYTON, Mr. KOHL, Mr. CORZINE, Mr. REED, Mrs. CLINTON, Mr. BINGAMAN, and Mr. DODD) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3___. SENSE OF THE SENATE CONCERNING FUNDING FOR DOMESTIC NUTRITION ASSISTANCE PROGRAMS.

(a) FINDINGS.—The Senate finds that—

(1) domestic nutrition assistance programs administered by the Secretary of Agriculture—

(A) have a long history of bipartisan support;

(B) have an accomplished record of preventing health problems for children and

promoting the health, growth, and development of children;

(C) provide United States agricultural producers and food manufacturers with important and substantial markets through which they can obtain and sustain livelihoods; and

(D) are due to be reauthorized and improved during the 108th Congress; and

(2) the budget proposed by the President for fiscal year 2004—

(A) maintains current levels of funding for child nutrition;

(B) extends and improves nutrition assistance programs, including—

(i) the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773);

(ii) the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.); and

(iii) the child and adult care food program established under the section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766); and

(C) renews and fully funds the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786).

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the final budget conference agreement should not take or propose any actions that reduce the level of funding provided for domestic nutrition assistance programs administered by the Secretary of Agriculture below current baseline spending levels for the programs.

SA 408. Mr. LAUTENBERG (for himself, Mrs. BOXER, Mr. CORZINE, Mr. REED, Mr. SARBANES, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $1,081,000,000.

On page 3, line 11, increase the amount by $1,349,000,000.

On page 3, line 12, increase the amount by $1,443,000,000.

On page 3, line 13, increase the amount by $1,505,000,000.

On page 3, line 14, increase the amount by $1,568,000,000.

On page 3, line 15, increase the amount by $1,620,000,000.

On page 3, line 16, increase the amount by $1,667,000,000.

On page 3, line 17, increase the amount by $1,721,000,000.

On page 3, line 18, increase the amount by $1,777,000,000.

On page 3, line 19, increase the amount by $1,833,000,000.

On page 4, line 1, increase the amount by $1,081,000,000.

On page 4, line 2, increase the amount by $1,349,000,000.

On page 4, line 3, increase the amount by $1,443,000,000.

On page 4, line 4, increase the amount by $1,505,000,000.

On page 4, line 5, increase the amount by $1,568,000,000.

On page 4, line 6, increase the amount by $1,620,000,000.

On page 4, line 7, increase the amount by $1,667,000,000.

On page 4, line 8, increase the amount by $1,721,000,000.

On page 4, line 9, increase the amount by $1,777,000,000.

On page 4, line 10, increase the amount by $1,833,000,000.

On page 4, line 15, decrease the amount by $20,000,000.

On page 4, line 16, decrease the amount by $84,000,000.

On page 4, line 17, decrease the amount by $168,000,000.

On page 4, line 18, decrease the amount by $260,000,000.

On page 4, line 19, decrease the amount by $358,000,000.

On page 4, line 20, decrease the amount by $465,000,000.

On page 4, line 21, decrease the amount by $581,000,000.

On page 4, line 22, decrease the amount by $704,000,000.

On page 4, line 23, decrease the amount by $837,000,000.

On page 4, line 24, decrease the amount by $980,000,000.

On page 5, line 5, decrease the amount by $20,000,000.

On page 5, line 6, decrease the amount by $84,000,000.

On page 5, line 7, decrease the amount by $168,000,000.

On page 5, line 8, decrease the amount by $260,000,000.

On page 5, line 9, decrease the amount by $358,000,000.

On page 5, line 10, decrease the amount by $465,000,000.

On page 5, line 11, decrease the amount by $581,000,000.

On page 5, line 12, decrease the amount by $704,000,000.

On page 5, line 13, decrease the amount by $837,000,000.

On page 5, line 14, decrease the amount by $980,000,000.

On page 5, line 18, increase the amount by $1,101,000,000.

On page 5, line 19, increase the amount by $1,433,000,000.

On page 5, line 20, increase the amount by $1,611,000,000.

On page 5, line 21, increase the amount by $1,765,000,000.

On page 5, line 22, increase the amount by $1,926,000,000.

On page 5, line 23, increase the amount by $2,085,000,000.

On page 5, line 24, increase the amount by $2,248,000,000.

On page 5, line 25, increase the amount by $2,425,000,000.

On page 6, line 1, increase the amount by $2,614,000,000.

On page 6, line 2, increase the amount by $2,813,000,000.

On page 6, line 6, decrease the amount by $1,101,000,000.

On page 6, line 7, decrease the amount by $2,534,000,000.

On page 6, line 8, decrease the amount by $4,145,000,000.

On page 6, line 8, decrease the amount by $5,910,000,000.

On page 6, line 10, decrease the amount by $7,836,000,000.

On page 6, line 11, decrease the amount by $9,921,000,000.

On page 6, line 12, decrease the amount by $12,169,000,000.

On page 6, line 13, decrease the amount by $14,594,000,000.

On page 6, line 14, decrease the amount by $17,208,000,000.

On page 6, line 15, decrease the amount by $20,022,000,000.

On page 6, line 19, decrease the amount by $1,101,000,000.

On page 6, line 20, decrease the amount by $2,634,000,000.

On page 6, line 21, decrease the amount by $4,145,000,000.

On page 6, line 22, decrease the amount by $5,910,000,000.

On page 6, line 23, decrease the amount by $7,836,000,000.

On page 6, line 24, decrease the amount by $9,921,000,000.

On page 6, line 25, decrease the amount by $12,169,000,000.

On page 7, line 1, decrease the amount by $14,594,000,000.

On page 7, line 2, decrease the amount by $17,208,000,000.

On page 7, line 3, decrease the amount by $20,022,000,000.

On page 40, line 6, decrease the amount by $20,000,000.

On page 40, line 7, decrease the amount by $20,000,000.

On page 40, line 10, decrease the amount by $84,000,000.

On page 40, line 11, decrease the amount by $84,000,000.

On page 40, line 14, decrease the amount by $168,000,000.

On page 40, line 15, decrease the amount by $168,000,000.

On page 40, line 18, decrease the amount by $260,000,000.

On page 40, line 19, decrease the amount by $260,000,000.

On page 40, line 22, decrease the amount by $358,000,000.

On page 40, line 23, decrease the amount by $358,000,000.

On page 41, line 2, decrease the amount by $465,000,000.

On page 41, line 3, decrease the amount by $465,000,000.

On page 41, line 6, decrease the amount by $581,000,000.

On page 41, line 7, decrease the amount by $581,000,000.

On page 41, line 10, decrease the amount by $704,000,000.

On page 41, line 11, decrease the amount by $704,000,000.

On page 41, line 14, decrease the amount by $837,000,000.

On page 41, line 15, decrease the amount by $837,000,000.

On page 41, line 18, decrease the amount by $980,000,000.

On page 41, line 19, decrease the amount by $980,000,000.

SA 409. Mr. DAYTON submitted an amendment to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

SEC. 1. FINDINGS—The Senate finds that:

Twenty-eight years ago, the federal government promised to pay for 40 percent of the additional cost of special education. Presently, the federal share is only 17.6 percent. The nation's school districts cannot afford such a large unfunded mandate. Thus, it is imperative that Congress increase IDEA funding to the long-promised 40 percent share.

SEC. 2.

On page 3, line 10, increase amount by $792,000,000.

On page 3, line 11, increase amount by $25,771,000,000.

On page 3, line 12, increase amount by $38,503,000,000.

On page 3, line 13, increase amount by $41,764,000,000.

On page 3, line 14, increase amount by $43,121,000,000.
On page 3, line 15, increase amount by $44,515,000,000.
On page 3, line 16, increase amount by $45,912,000,000.
On page 3, line 17, increase amount by $47,316,000,000.
On page 3, line 18, increase amount by $48,731,000,000.
On page 3, line 19, increase amount by $50,129,000,000.
On page 4, line 1, increase amount by $792,000,000.
On page 4, line 2, increase amount by $25,771,000,000.
On page 4, line 3, increase amount by $38,503,000,000.
On page 4, line 4, increase amount by $41,764,000,000.
On page 4, line 5, increase amount by $43,121,000,000.
On page 4, line 6, increase amount by $44,515,000,000.
On page 4, line 7, increase amount by $45,912,000,000.
On page 4, line 8, increase amount by $47,316,000,000.
On page 4, line 9, increase amount by $48,731,000,000.
On page 4, line 10, increase amount by $50,129,000,000.
On page 4, line 15, increase amount by $19,797,000,000.
On page 4, line 16, increase amount by $20,103,000,000.
On page 4, line 17, increase amount by $19,903,000,000.
On page 4, line 18, increase amount by $19,417,000,000.
On page 4, line 19, increase amount by $18,837,000,000.
On page 4, line 20, increase amount by $18,416,000,000.
On page 4, line 21, increase amount by $17,347,000,000.
On page 4, line 22, increase amount by $16,435,000,000.
On page 4, line 23, increase amount by $15,382,000,000.
On page 4, line 24, increase amount by $14,179,000,000.
On page 5, line 5, increase amount by $389,000,000.
On page 5, line 6, increase the amount by $12,533,000,000.
On page 5, line 7, increase the amount by $18,013,000,000.
On page 5, line 8, increase the amount by $18,482,000,000.
On page 5, line 9, increase the amount by $17,873,000,000.
On page 5, line 10, increase the amount by $17,182,000,000.
On page 5, line 11, increase the amount by $16,377,000,000.
On page 5, line 12, increase the amount by $15,457,000,000.
On page 5, line 13, increase the amount by $14,418,000,000.
On page 5, line 14, increase the amount by $13,239,000,000.
On page 5, line 18, increase the amount by $403,000,000.
On page 5, line 19, increase the amount by $13,239,000,000.
On page 5, line 20, increase the amount by $20,489,000,000.
On page 5, line 21, increase the amount by $23,283,000,000.
On page 5, line 22, increase the amount by $25,248,000,000.
On page 5, line 23, increase the amount by $27,333,000,000.
On page 5, line 24, increase the amount by $29,535,000,000.
On page 5, line 25, increase the amount by $31,859,000,000.
On page 6, line 1, increase the amount by $34,313,000,000.
On page 6, line 2, increase the amount by $36,890,000,000.
On page 6, line 6, decrease the amount by $403,000,000.
On page 6, line 7, decrease the amount by $13,642,000,000.
On page 6, line 8, decrease the amount by $34,131,000,000.
On page 6, line 8, decrease the amount by $57,414,000,000.
On page 6, line 10, decrease the amount by $82,662,000,000.
On page 6, line 11, decrease the amount by $109,995,000,000.
On page 6, line 12, decrease the amount by $139,529,000,000.
On page 6, line 13, decrease the amount by $171,388,000,000.
On page 6, line 14, decrease the amount by $205,701,000,000.
On page 6, line 15, decrease the amount by $242,591,000,000.
On page 6, line 19, decrease the amount by $403,000,000.
On page 6, line 20, decrease the amount by $13,642,000,000.
On page 6, line 21, decrease the amount by $34,131,000,000.
On page 6, line 22, decrease the amount by $57,414,000,000.
On page 6, line 23, decrease the amount by $82,662,000,000.
On page 6, line 24, decrease the amount by $109,995,000,000.
On page 6, line 25, decrease the amount by $139,529,000,000.
On page 7, line 1, decrease the amount by $171,388,000,000.
On page 7, line 2, decrease the amount by $205,701,000,000.
On page 7, line 3, decrease the amount by $242,591,000,000.
On page 25, line 16, increase the amount by $19,804,000,000.
On page 25, line 17, increase the amount by $396,000,000.
On page 25, line 20, increase the amount by $20,456,000,000.
On page 25, line 21, increase the amount by $12,886,000,000.
On page 25, line 24, increase the amount by $21,141,000,000.
On page 25, line 25, increase the amount by $19,251,000,000.
On page 26, line 3, increase the amount by $21,817,000,000.
On page 26, line 4, increase the amount by $20,882,000,000.
On page 26, line 7, increase the amount by $22,525,000,000.
On page 26, line 8, increase the amount by $21,560,000,000.
On page 26, line 11, increase the amount by $23,221,000,000.
On page 26, line 12, increase the amount by $22,257,000,000.
On page 26, line 15, increase the amount by $23,925,000,000.
On page 26, line 16, increase the amount by $22,956,000,000.
On page 26, line 19, increase the amount by $24,635,000,000.
On page 26, line 20, increase the amount by $23,658,000,000.
On page 26, line 23, increase the amount by $25,329,000,000.
On page 26, line 24, increase the amount by $24,366,000,000.
On page 27, line 2, increase the amount by $26,005,000,000.
On page 27, line 3, increase the amount by $25,064,000,000.
On page 40, line 6, decrease the amount by $7,000,000.
On page 40, line 7, decrease the amount by $7,000,000.
On page 40, line 10, decrease the amount by $353,000,000.
On page 40, line 11, decrease the amount by $353,000,000.
On page 40, line 14, decrease the amount by $1,238,000,000.
On page 40, line 15, decrease the amount by $1,238,000,000.
On page 40, line 18, decrease the amount by $2,400,000,000.
On page 40, line 19, decrease the amount by $2,400,000,000.
On page 40, line 22, decrease the amount by $3,687,000,000.
On page 40, line 23, decrease the amount by $3,687,000,000.
On page 41, line 2, decrease the amount by $5,076,000,000.
On page 41, line 3, decrease the amount by $5,076,000,000.
On page 41, line 6, decrease the amount by $6,579,000,000.
On page 41, line 7, decrease the amount by $6,579,000,000.
On page 41, line 10, decrease the amount by $8,201,000,000.
On page 41, line 11, decrease the amount by $8,201,000,000.
On page 41, line 14, decrease the amount by $9,947,000,000.
On page 41, line 15, decrease the amount by $9,947,000,000.
On page 41, line 18, decrease the amount by $11,826,000,000.
On page 41, line 19, decrease the amount by $11,826,000,000.
Strike Section 211.

SA 410. Mr. DODD (for himself, Mr. BINGAMAN, Mr. HATCH, Mr. KENNEDY, and Mr. KERRY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

At the end of Subtitle B of Title II, insert the following:

SEC. . DEFICIT-NEUTRAL RESERVE FUND FOR CHILD CARE.

In the Senate, the Chairman of the Committee on the Budget may revise aggregates, functional totals, allocations, and other appropriate levels in this resolution for a deficit-neutral bill, joint resolution, amendment, motion, or conference report that provides at least $5.5 billion in mandatory funding on a deficit-neutral basis, in fiscal years 2004 to 2008, and continues the 2008 level of funding through 2013, for the Child Care and Development Block Grant to allow states to maintain the current level of services provided to low-incoming working families, improve program quality, provide for any changes in federal work requirements, and provide services for additional eligible children.

PRIVILEGES OF THE FLOOR

Ms. LANDRIEU. Mr. President, I ask unanimous consent that Kevin Avery be given floor privileges.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that Clyde Taylor, a member of my staff, be granted the privilege of the floor for the duration of S. Con. Res. 23.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FRIST. I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nomination on today's executive calendar: Calendar Nos. 70, 71, 72, 73, 74, and 75. I further ask unanimous consent that the nominations be confirmed en bloc, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations were considered and confirmed en bloc, as follows:

NOMINATIONS

NATIONAL SCIENCE FOUNDATION

Kenneth M. Ford, of Florida, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2008.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Dario Fernandez-Morera, of Illinois, to be a Member of the National Council on the Humanities for a term expiring January 26, 2008.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Mary Costa, of Tennessee, to be a Member of the National Council on the Arts for a term expiring September 3, 2006.

Makoto Fujimura, of New York, to be a Member of the National Council on the Arts for a term expiring September 3, 2008.

Jerry Pinkney of New York, to be a Member of the National Council on the Arts for a term expiring September 3, 2008.

Karen Lias Wolff, of Michigan, to be a Member of the National Council on the Arts for a term expiring September 3, 2008.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

ORDERS FOR MONDAY, MARCH 24, 2003

Mr. FRIST. I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 2 p.m., Monday, March 24. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business until 5 p.m., with the time equally divided between the majority and the minority leaders or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. For the information of all Senators, on Monday the Senate will be in a period of morning business throughout the afternoon. There will be no rollcall votes on Monday.

I want to thank my colleagues on both sides of the aisle for the constructive week we have had. Under the previous agreement, we now have a time certain for passage of the budget resolution, and I thank my colleagues for their cooperation.

The Senate will return to the budget resolution on Tuesday morning at 9:30 and immediately begin a long series of stacked rollcall votes. Members are encouraged to remain in the Chamber during Tuesday's session as numerous votes are expected. With the cooperation of all Senators, we can reach a final vote on the resolution in a timely manner.

ADJOURNMENT UNTIL 2 P.M., MONDAY, MARCH 24, 2003

Mr. FRIST. If there is no further business to come before the Senate, I ask that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:33 p.m., adjourned until Monday, March 24, 2003, at 2 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 21, 2003:

NATIONAL SCIENCE FOUNDATION

KENNETH M. FORD, OF FLORIDA, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

DARIO FERNANDEZ-MORERA, OF ILLINOIS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

MARY COSTA, OF TENNESSEE, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS.

MAKOTO FUJIMURA, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS.

JERRY PINKNEY, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS.

KAREN LIAS WOLFF, OF MICHIGAN, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

INTRODUCTION OF SPECTRUM COMMONS AND DIGITAL DIVIDENDS ACT OF 2003

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. MARKEY. Mr. Speaker, today I am introducing the ''Spectrum Commons and Digital Dividends Act.'' I am proposing this measure in order to advance three key goals: (1) establishment of a ''Spectrum Commons;'' (2) creation of a permanent public interest telecommunications trust fund for education technology grants; and (3) ensuring that sound wireless telecommunications policymaking is not unduly skewed by unrelated budgetary initiatives.

SPECTRUM COMMONS

Mr. Speaker, the legislation I introduce today promotes the goal of creating a ''Spectrum Commons.'' High tech manufacturers, entrepreneurs and the proverbial ''kid in the garage'' could make more robust use of wireless communications if sufficient spectrum were available in unlicensed form for the general public. The bill requires the FCC to establish a 20 MHz band of contiguous frequencies below the 2 GHz band, as well as between 3 to 500 MHz located between the 2 GHz and 6 GHz bands. These swaths of airwaves would constitute the ''Spectrum Commons'' and therefore would remain open to the public and unlicensed. Such a public set-aside could foster the formation of an open platform for innovation, entrepreneurial activity, and public communications.

An unlicensed area of the airwaves will permit the public, through the use of 'smart' radio technology and better receiver equipment, to harness the airwaves for countless applications but only if the government is willing to give back to the public a portion of its own airwaves in such an unlicensed format. From ''wi-fi'' technology and low power ''Bluetooth'' wireless connections, to so-called ''802.11'' and successor protocols, wireless local area networks and Net connections, utilization of publicly available airwaves can help connect people and businesses in cost-effective and spectrum-efficient ways. Moreover, the designation of cleared bands at such different locations in the frequency spectrum sets the stage for varied applications to emerge reflecting the respective physical properties that such bands currently possess.

The ''Spectrum Commons'' will also help to propel economic growth and innovation by opening up the airwaves to new marketplace entry by individuals and entities unaffiliated with established network providers, such as incumbent cable, telephone, or wireless carriers. In addition, ensuring sufficient unlicensed spectrum would also militate against unhealthy consolidation of spectrum in the hands of too few providers.

DIGITAL DIVIDENDS TRUST FUND

Mr. Speaker, when the FCC does decide to proceed with auctions as a means of granting licenses for use of the public's airways, I believe that the public deserves to reap the benefits of the sale of licenses to its airwaves. Yet these benefits should not only manifest themselves in the offering of new commercial services or the temporary infusion of cash into the Federal treasury as under current law. I propose in this legislation that the public should also enjoy the ''dividends'' that can be reaped by reinvesting money raised through use of a public asset in a manner designed to promote educational technology projects, educational software R&D, as well as initiatives addressing the digital divide.

The bill I am introducing today creates a trust fund, capped at $5 Billion, to cover any reasonable relocation costs incurred by Federal government users of the spectrum when they are moved to other frequency locations. This $5 Billion figure does not represent the full extent of financial assistance available to Federal agencies, it merely reflects the amount that will be available to them through auction revenue. Any additional relocation costs above that amount can be paid for through the traditional appropriations process by which Congress operates and funds such necessary government costs and services.

The bill proposes taking any surplus auction revenue and creating a permanent trust fund (the ''Digital Dividends Trust Fund'') from wireless auction revenue in order to fund such public interest telecommunications initiatives. Splitting the grants into two general categories—''human capital telecommunications investments'' and ''broadband infrastructure investments for public access and rural development''—the Digital Dividends Trust Fund authorizes grants for the following initiatives:

Training of teachers & other personnel at schools and libraries eligible for E-rate funding;

R&D for cutting-edge educational software designed to enhance learning in schools;

Digitizing educational materials held in our nation's libraries, archives, and museums;

Technology projects supported by volunteers enrolled in AmeriCorps, Projects enhancing the access of individuals with disabilities to advanced telecommunications services;

Retraining workers and unemployed individuals with skills applicable to the new economy;

After-school programs for youth focused on computer literacy and interaction;

Local and regional programs to expand access to advanced telecommunications in areas available to the general public;

Broadband deployment to low-income housing and community centers and to unserved rural areas; and,

Conversion of public radio and television broadcasting stations to digital broadcasting technology.

Finally, Mr. Speaker, it is important that telecommunications policymaking reassert itself in wireless policy, where for too long budget priorities have warped sound policy. Since Congress first enacted legislation in 1993 to permit the Federal Communications Commission (FCC) to distribute certain airwave licenses to the public through the use of auctions, the FCC has used this licensing mechanism numerous times and the U.S. Government has reaped billions of dollars for general revenue purposes. The initial principle behind auctions was to enhance telecommunications policy goals through the efficient licensing of frequency spectrum, where the revenue an auction raised represented an additional benefit to the taxpayer.

Over time, however, the use of auctions has become perverted. They are increasingly advocated primarily for purposes of raising general revenue irrespective of whether such auctions advance sound telecommunications policy. Moreover, the money raised from auctions has been sent directly to the U.S. Treasury. The money from telecommunications auctions was not reinvested in order to enhance our democracy, bridge the digital divide, or promote public interest telecommunications projects. Instead, the auction of licenses for use of the public's airwaves has been subjected to the alchemy of budget scorers intent on transforming thin air into gold.

Legitimate telecommunications policy objectives are often undermined by proposals to auction certain slices of the airwaves on a date dictated by budgetary scoring needs. Instead, auctions should only be scheduled once the appropriate telecommunications policy goals have been agreed upon and the conditions necessary for successful licensing through auctions have been secured.

This legislation requires the FCC, prior to scheduling upcoming auctions, to take action to achieve the timely transition to digital television by establishing rules governing must-carry issues, minimum programming and broadcasting requirements, and digital television receiver benchmarks. It also directs the NTIA and the FCC to take action to secure additional spectrum for advanced wireless services—including mobile services such as so-called ''3G'' services. Sound telecommunications policy, consistent with the public interest, would be greatly furthered by putting the ''policy horse'' back in front of the ''auction cart.'' The bill seeks to re-establish this principle in wireless policy.

Mr. Speaker, my Telecommunications and Internet Subcommittee colleague and chairman, Mr. UPTON, has companion legislation addressing similar subject matter. I look forward to working with him, Energy and Commerce Committee Chairman TAUZIN, Ranking Member Mr. DINGELL, and other interested members on these telecommunications initiatives and hopefully, by working together constructively, we can achieve consensus legislation for the House to consider later this year.

PERSONAL EXPLANATION

HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Ms. CARSON of Indiana. Mr. Speaker, on Wednesday, March 19, 2003, I was unavoidably detained in my district of Indianapolis. Had I been present in Washington for votes, it was my intention to vote the following ways:

Rollcall No. 68—''aye.''
Rollcall No. 69—''aye.''
Rollcall No. 70—''aye.''
Rollcall No. 71—''aye.'''
Rollcall No. 72—''aye.''
Rollcall No. 73—''aye.''
Rollcall No. 74—''aye.''

THE INTRODUCTION OF A HYDROGEN AND FUEL CELL TECHNOLOGY

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. LARSON of Connecticut. Mr. Speaker, in the January 28, 2003, State of the Union Address, the President proposed a $1.2 billion hydrogen fuel initiative to reverse America's growing dependence on foreign oil by developing the technology for commercially viable hydrogen-powered fuel cells to power cars, buses, trucks, homes and businesses with no pollution or greenhouse gases. Over the next five years, the proposed hydrogen fuel initiative would develop the technologies and infrastructure to produce, store, and distribute hydrogen for use in fuel cell vehicles and electricity generation.

I rise today to introduce a Hydrogen and Fuel Cell Technology Authorization bill that would fully authorize the President's hydrogen fuel Initiative, providing a total of $1.2 billion over 5 years. Specifically, the bill would fully authorize funding for the President's Fiscal Year 2004 Hydrogen, Fuel Cells, and Infrastructure Technologies budget request at $182 million and provide an additional $1.018 billion across the following 4 years to fully fund the initiative through FY08.

Both the Fuel Cell Technology programs and the Hydrogen Technology Programs authorized in this bill are identified as key components of the Administration's FreedomCAR initiative in the FY04 budget proposal and represent a significant portion of the overall programs that make up FreedomCAR. This initiative has also been developed in response to the recommendations of the May 2001 National Energy Policy (NEP), which specifically recommended: (1) the development of next-generation technology, including hydrogen and fusion; (2) Development of an education campaign that communicates the benefits of alternative forms of energy, including hydrogen and fusion; and (3) Focused research and development efforts on integrating current programs regarding hydrogen, fuel cells, and distributed energy.

Additionally, the bill ensures a continued focus on ''core'' fuel cell power plant technology research and development programs that will be necessary to accelerate the technology to meet the goals established to bring this technology to market. These core elements include programs that help to address low cost, high-efficiency, fuel flexible, modular fuel cell power systems, improved manufacturing production and processes, high temperature membranes, cost effective fuel processing for natural gas, fuel cell stack and system reliability, durability and cold start capability.

Pursuing the development of this technology strikes at the very core our national security, economic stability, and environmental conscious. We have before us, for the first time in human history, the technology to provide clean, reliable energy for every person, home, business, and vehicle in America. With this technology, we have the opportunity to end once and for all America's reliance on foreign energy sources while at the same time creating quality jobs for the next century in a new and expanding technological field.

I urge my colleagues to support this initiative.

A THREAT TO TAIWAN

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. ROTHMAN. Mr. Speaker, I have serious concerns regarding the constant threat to Taiwan from missiles in China, and the signal that this military buildup sends to both the people of China and the people of Taiwan about the eventual peaceful resolution to the Taiwan dispute.

Currently, there are more than 400 Chinese missiles targeted on Taiwan, with fifty or more being added each year. Also, China has devised strategies to destroy Taiwan's political, communications, and production centers within days. What is even more menacing is that China has reiterated that it will use force against Taiwan if Taiwan refuses to accept China's ''one country, two systems'' unification formula.

I believe that China's intimidation of Taiwan questions its seriousness about being considered a major world power. China must not ignore Taiwan President Chen Shui-bian's repeated pleas for resumption of a cross-strait dialogue. If war breaks out in the Taiwan Strait, China, Taiwan and the rest of the countries in the Asian Pacific will all suffer irreparable economic and political damage.

We in the United States feel most strongly that a military clash in the Taiwan Strait must be avoided. I call upon the Chinese government to dismantle the hundreds of missiles targeting Taiwan and to embrace peace in managing its relations with Taiwan.

PAYING TRIBUTE TO THE WORDS OF MATT ETHERIDGE

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. McINNIS. Mr. Speaker, at the dawn of this new century, we are engaged in an epic struggle, testing whether this nation, dedicated to life, liberty and the pursuit of happiness, can defend freedom throughout the world. Many of our nation's brave young men and women have answered the call of service and are currently advancing freedom's cause.

Mr. Speaker, at this very moment, Matt Etheridge of Ridgway, Colorado is serving his nation honorably in the war to liberate Iraq. Recently, Matt sent his mother an email indicating his disappointment as a Navy Sailor in the shortsighted demonstrations of anti-war protestors. Below is the text of that letter:

Dear America,

I am a United States Navy Sailor. I am from Ridgway, Colorado. I have been in the Navy for almost two years. My job here is an Aviation Ordnanceman. My shipmates and I are part of a team that helps to create population control and our profession is landscaping technicians. I have been to 5 different countries, seen 3 different oceans, and have sailed three quarters of the way around the world with 5000 men. I have been away from the people that I love for at least 6 months. When I want to call home it costs a dollar a minute. Sounds great, huh. You should try the food. Could you handle it? Yet I am still proud that I am here doing this for my family and friends. The people that love to have rights, love to be educated and love to have freedom. Did I mention that I am only 20 years old?

How many people in America can sit there and say that they have done anything like that and still serve and protect the country? How about only the people that signed on that little dotted line to risk their lives for the things that they truly believe in. Are they scared? What do you think? Of course they are. They have no idea what is going on and how the outcome will be. They have no idea what is going to happen to them or what is going on with their families at home. We are here to keep you safe and help protect all the things that you love so much. Do you (ANTI-WAR PROTESTERS) think that the military is a joke? Are we here just to look good?

What are the people in America doing? We are the ones here so that you the people do not have to be. I am not talking about everyone. I am talking about the pussy people that have no idea what it is like to be in our shoes and have no respect for us. What if the war was there? What would you do? Would you pick up a gun and protect your families? If we were not the police of the globe we would be taken over by a man that rapes and de-virginizes little innocent 15 year olds. I really do not care what you are all protesting against. Where do you all get your freedom? The Constitution, but we are the ones that enforce it. I guess you do not like to be free.

Do you people really understand what you have? You have no clue. You all have it so good. I think that you all should see some of what goes on in other places. Kids in other countries running around with guns, people burning our national emblem. What kind of barbaric B.S. is that? What would you do if you lost all of your rights? I bet you are glad that we would die for our country and you so that you do not have to live in fear.

I would love to see someone go up to one of the men or women in the Marines sitting 5 miles off Iraq and tell him that he is doing wrong. If you all hate America and what is happening, leave, who would really care? That is your ''right.'' If our nation had a draft I bet all you all would tuck tail and run. We sign so that you do not have to.

Do you even remember what happened to the people of 9–11? Do you even care? Is that just the past and a memory now? Innocent Americans died trying to make a living.

What if you were one of them? I guess we should just stop and let go. Yeah right!

Anti-war protesters are all followers. You should believe in life, liberty and justice for all. Not some rich fancy celebrity just because you like his/her show. I saw a 16 year old female on the news. She said that sixth period was not as important as protesting. How would she even know? Has she been to other countries? She should see what we have. Children all starving and buildings in ruins. Yes we have it in the U.S. but not nearly as bad. You are all lucky. We all are. At least you can go out and get a job if you need to. Hello, welcome to McDonalds, may I help you?

So here I say: No one really wants to go to war. Sometimes it is the action that we must take. Should we just come home and let the world take us over? Uhhh, NO! Protestors, like yourselves, are the people that get mad if someone cuts a tree down or if we eat a cow. I bet a good number of you drive. STOP! You are polluting the air. I will still drive if I need to be someplace and I like my steak medium-well. Do I care? Yes I do.

Our President will make the decision. What he says goes. I respect that and I am ready to do whatever he says and so are all the men and women in the Armed Forces. This is why we are here. When he says ''Go'' we are on our way. That is why we are getting a raise and we deserve it. Who cares if you do not like it?

As an Army man said, ''We are the ones here fighting, so really you do not have a say so!'' I am with him.

I would like to thank all the people that support us. I know that my Mom is very worried about me but I know she loves and misses me. I love you all so much and I miss you more than anything.

To all those who oppose and protest, go ahead and do it, whatever! We know who the real men and women are in the U.S.A.!!

I bleed red, white and blue!!

You are right ''God blesses everyone.'' America is #1 on my list.

I wrote this and it is what I feel. I would like it if you passed it on and maybe write back an opinion or something.

Signed, A disappointed Navy Sailor,
MATTHEW A. ETHERIDGE.

Members of this Congress and the American public should sincerely consider Matt's words. Those who seek the true meaning of duty, honor, and sacrifice will find it in devoted servants like Matt Etheridge. I believe his letter to America makes his point very clearly. Mr. Speaker, it should never be in doubt that our nation's servicemen and women have our support, and remain in our thoughts and prayers.

RECOGNIZING THE VON STEUBEN PANTHERS

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. EMANUEL. Mr. Speaker, believe it or not, Von Steuben Metropolitan Science Center's basketball team has a chance at the state title. Now, that might not mean much to many of my colleagues, but for those of us who live on the North Side of Chicago, Von Steuben's appearance in the Elite Eight, their first since 1938, is a big deal.

Von Steuben's season did not begin that well. In fact, they lost four of their first five games, but the Panthers rebounded. On Monday, March 17, 2003, they convincingly defeated Brother Rice 65–56 to secure the Class AA supersectional.

Every student should be proud of Von Steuben, and not only because of their success on the basketball court, but because Von Steuben is truly a great school. There are many different types of Chicago Public Schools. Von Steuben is a ''science center,'' meaning it has stronger math and science curriculums than most of Chicago's public schools. It is this demanding and stimulating college preparatory curriculum, combined with the school's diverse student body, innovative teaching methods and state-of-the-art technological equipment which set it apart. I'm proud to represent Von Steuben and honored to congratulate its basketball team.

Mr. Speaker, tomorrow the Panthers of Von Steuben will play Peoria Central. I wish Von Steuben the very best of luck and know that regardless of the outcome, the residents of Chicago and the Albany Park Neighborhood are proud of their accomplishments.

TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

SPEECH OF

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 2003

Mr. SHAW. Mr. Speaker, I rise today in strong support of H.R. 1308, and in particular, a provision I offered in the Ways and Means Committee during consideration of another tax measure. This provision is very simple, and very fair—it will provide tax benefits to the families of the victims of the Columbia Shuttle disaster. In the same manner our government provides benefits to the families of soldiers killed in the line of duty or to victims of terrorist attacks, I offered this provision to honor the spirit and courage of our nation's brave astronauts.

Under current law, when a soldier is killed in the line of duty or a citizen is the victim of terrorism, our government views all income received in the year of their death, or the preceding year, as exempt from income tax. In addition, any death benefits paid by the U.S. Government or employers to the families of the victims are also exempt from taxation. And finally, we reduce the state tax of the heirs to 20%.

H.R. 1308 would extend these modest benefits to all astronauts who die in the line of duty, beginning with the families and victims of the Columbia tragedy. These seven men and women gave their lives exploring the bounds of human experience. For their sacrifice and contributions to our nation and mankind, we wish to honor them by caring for the financial security of their loved ones.

I would add that this provision was adopted in Committee without dissent. Although it would provide much needed, meaningful relief to the families of our astronauts, its revenue impact is negligible.

Finally, Mr. Speaker, I would be remiss if I didn't commend our colleague CHET EDWARDS of Texas who originally filed legislation extending these benefits to astronauts. I appreciate his leadership on this most solemn and important measure.

Mr. Speaker, I urge my colleagues to demonstrate their support for our astronauts by voting for H.R. 1308. Our nation is forever in their debt.

AMERICAN CITIZENSHIP AMENDMENT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. PAUL. Mr. Speaker, I rise to introduce the American Citizenship Amendment. Under current U.S. laws, any person born on American soil can claim American citizenship, regardless of the citizenship of that child's parents. This means that any alien who happens to give birth in the United States has just given birth to an American citizen, eligible for all the benefits and privileges afforded to citizens.

Mr. Speaker, this is unacceptable and is far from what our Founders intended when they drafted the Constitution. It undermines the very concept of citizenship as enshrined in the United States Constitution: to be constitutionally entitled to U.S. citizenship one must be ''born . . . in the United States'' and ''subject to the jurisdiction thereof.'' This second, and most important, part means that in order to gain U.S. citizenship one must owe and actively express allegiance to the United States in addition to the act of being born on United States soil.

What the current state of events has led to is a booming business in smuggling pregnant mothers over the border to give birth to new ''American'' citizens, who in turn become eligible for all the benefits thereof. Practically, what this does is cheapen citizenship: rather than impart all the obligations and responsibilities of being an American it becomes merely a ticket to welfare and other benefits. The history of the United States is that of immigrants: individuals from diverse backgrounds accepted the obligations of citizenship in exchange for the great benefits of living in the freest nation on earth.

This proposed Constitutional amendment restores the concept of American citizenship to that of our Founders. This legislation simply states that no child born in the United States whose mother and father do not possess citizenship or owe permanent allegiance to the United States shall be a citizen of the United States. It is essential to the future of our constitutional republic that citizenship be something of value, something to be cherished. It cannot be viewed as merely an express train into the welfare state.

NATIONAL BOARD-CERTIFIED TEACHERS IN LOW-PERFORMING SCHOOLS ACT OF 2003

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mrs. DAVIS of California. Mr. Speaker, I am pleased to introduce the National Board-Certified Teacher in Low-Performing Schools Act of 2003 to place these highly skilled teachers

as facilitators in low-income low-performing schools.

A huge challenge for our schools is to help low-achieving students improve their academic performance. How do we make this happen? Many studies have shown that the single most critical component for a child's success is the quality of each teacher.

Districts across the country are struggling with ways to comply with The Elementary and Secondary Education Act, H.R. 1, known as the No Child Left Behind Act of 2001. It requires that every classroom will have a highly-qualified teacher, but the definition of ''highly-qualified'' is not clear. The road to creating more highly skilled teachers is also unclear.

However, we do know that teachers who have successfully completed the rigorous, standards-based teaching evaluation and testing program run by the National Board for Professional Teaching Standards are 'highly qualified.' What we need to do is to encourage more of these highly accomplished teachers to seek positions in the most needy schools. Low-income, low-performing schools typically have newly hired teachers, many of whom are not fully credentialed or trained in teaching skills.

In California, I authored legislation to reward successful National Board candidates with a $10,000 merit award. One result of this recognition has been that this year the number of successful candidates was ten times the number in 1998, when the legislation was passed. In addition, the state gives an annual $5000 pay incentive for four years to each National Board Certified Teacher who seeks assignment to a low-performing school.

I propose to build on this method of providing incentives to urge these highly accomplished teachers to provide not only their fine teaching skills but also their availability as peers for the many new teachers assigned to these schools.

Both beginning teachers and experienced teachers can grow in their teaching skills and can be inspired to accept the challenge of the certification process to demonstrate this growth if they have the opportunity to work as a peer with a National Board Certified Teacher. Many teachers who have become certified report that the process itself improves their skills, as they must prepare standards-based, self-reflective portfolios of their teaching practices to submit for evaluation.

Therefore, I propose a pilot program for five years to pay up to 100 National Board Certified Teachers, each of whom is teaching in a low-income, low-performing school, $5000 per year to act as a resident facilitator to introduce the members of the faculty to the National Board evaluation progress. As a teacher must have taught for three years before applying for Board certification, the five-year period is needed to allow time for new teachers to be exposed to the process through the outreach program initiated by the facilitator.

The responsibilities of the facilitator would be to promote peer teacher participation and to work with the National Board for Professional Teaching Standards to recommend ways to encourage teachers to aspire to Board certification.

The facilitator would also receive a $1000 bonus stipend for each teacher who completes the process for becoming Board—certified at the school for which the recipient is the resident facilitator.

I believe that this pilot program can be a triple winner. The children of the low-performing school have another teacher who is clearly a highly qualified teacher. The faculty of that school has a peer teacher with identifiable teaching skills as a resource. And the school may grow its own crop of National Board Certified Teachers thus changing the image of being a low-performing school to the image of being a school with a highly-accomplished faculty.

PROPOSING A GREAT LAKES TRUST FUND

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. EMANUEL. Mr. Speaker, today is Great Lakes Day on Capitol Hill. This annual event provides Great Lakes policymakers and opinion leaders with an opportunity to report on the current and future state of the Lakes. Holding one-fifth of the planet's fresh surface water, the Great Lakes are the source of drinking water for 28 million Americans, including 2.8 million Chicagoans. Today it is my sad duty to inform the Members of this body who are not already aware, that the Great Lakes are in grave danger.

Thirty years after passage of the Clean Water Act, water quality has improved, yet the Lakes remain unhealthy and there is clear and convincing evidence that the ecosystem is deteriorating. In the past few years, state and local authorities have issued more than 1,500 fish consumption advisories. In 2001, bacteria from sewage overflows led to a record 599 beach closings. In Chicago, my home, there have been 152 beach closings since 1994.

Mr. Speaker, the Great Lakes, the largest freshwater system on Earth, are clearly in danger. In the mid-1990s, the Everglades, the source of freshwater for much of the state of Florida, faced a similar crisis. Congress responded with an $8 billion plan to restore the Everglades. I ask this body, are the Great Lakes, one of our nation's most valued national treasures, not worthy of a similar effort? I know they are.

This spring I will introduce legislation to create a Great Lakes Trust Fund. My bill will fund the Administration's ''Great Lakes Strategy 2002.'' Additionally, it would establish a dedicated funding source for Lakes restoration and revitalization. My proposal would also create an advisory board consisting of the governors of the eight Great Lakes states, representatives of the Federal Government, and members of the scientific and business communities. Further, the advisory panel would be tasked with developing a comprehensive Lakes management plan, a biennial report to Congress.

Mr. Speaker, the United States is blessed with tremendous resources. The Great Lakes undoubtedly rank among the most treasured of these resources, but if this body allows them to deteriorate further—if we can no longer drink the water, and no longer swim at our beaches—we will have failed the people of this nation. I refuse to let this happen. My plan will begin to heal the damage done by years of neglect. I urge my colleagues to support me in this important national endeavor and I strongly encourage them to cosponsor my bill.

PAYING TRIBUTE TO GARY OSIER

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Gary Osier of Rifle, Colorado for his contributions to the health of our Nation's forests as a ranger in the United States Forest Service. Gary has lived and worked in Colorado for over twenty years and, as he celebrates his retirement, I would like to rise before you today to thank Gary for his service before this body of Congress and this Nation.

Gary studied forestry under the GI Bill and first accepted a U.S. Forest Service assignment in North Dakota. Spending thirty-two years in the Forest Service, he clearly made a home as Rifle's assistant district ranger. He became an official specialist in forest minerals and an unofficial historian in local Forest Service history. Throughout his career, Gary never shied away from difficult issues as a charter member of the Northwest Colorado Oil and Gas Forum.

Though Gary may be retiring from the Forest Service, he will continue his involvement in issues vital to Colorado. Based out of Rifle, Gary and his wife Mary will supply potable water during fire season to active fire camps on national forest lands from Arizona to Wyoming. Filling a need that became evident last summer during the worst fire season in Colorado history, Gary's company, H2Osiers, will also supply water to municipalities and other entities on a case-by-case basis.

Mr. Speaker, Gary Osier has served as a steward of this country's forests for over thirty years. The pride and enthusiasm of foresters like Gary are vital to the important role of the Forest Service. Today I stand before this body of Congress and this nation to recognize one of the Forest Service's best. Gary's dedication to serving the forests and communities of the West is a credit to himself and to Colorado. I thank him for his service.

TEXAS MOURNS THE LOSS OF STATE REPRESENTATIVE IRMA RANGEL

HON. CIRO D. RODRIGUEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. RODRIGUEZ. Mr. Speaker, this week, the State of Texas lost one of its great voices, a leader with passion and energy working to improve the lives of the people she represented. We mourn the death of Texas Representative Irma Rangel who served nobly in the Texas Legislature for more than 25 years. She was a trailblazer as the first Hispanic woman to be elected to the Texas House of Representatives and the first woman to serve as chair of the Mexican American Legislative Caucus. We will miss her strength, courage, vision, and her straight talk.

A close friend, an advocate for poor families and women in South Texas, Representative Rangel consistently fought to improve the quality and accessability of education for her constituents. Her advocacy helped create the

school of pharmacy at Texas A&M University-Kingsville, the first professional school in South Texas. She also was a driving force in securing passage of the 10 percent plan, which makes the top 10 percent of students in every high school eligible for admission to any state college or university, in the wake of the devastating Hopwood decision.

Representative Rangel grew up in Kingsville, Texas. Her father picked cotton and learned to read and write on his own and later owned several businesses. In 1952, she received a degree in business administration from Texas A&I University (now Texas A&M University-Kingsville). She was a teacher for 14 years in schools in Robstown and Alice, Texas, in Venezuela and in Menlo Park, California. She earned a law degree from St. Mary University School of Law in San Antonio, Texas in 1969; she later served as a law clerk for U.S. District Judge Adrian A. Spears and as an assistant district attorney in Nueces County before opening her own law practice.

During her lifetime, Representative Rangel received many professional honors. She was inducted into the Texas Women's Hall of Fame in 1994. Other awards include the Legislator of the Year award from the Mexican American Bar Association of Texas; Women's Political Caucus' Texas Mexican-American Woman of the Year in 1979; Unsung Heroines Award in 1991 from the Women's Advocacy Project; Latina Lawyer of the Year from the Hispanic National Bar Association; and Texas Woman of the Century from the Women's Chamber of Commerce of Texas.

Her commitment to the people and families of South Texas, especially in improving access to higher education, has left a lasting legacy. Irma Rangel will be remembered as a woman who, through her lifetime of work and service, demonstrated her commitment to community. We will all miss her.

MR. RICHARD WITTENBERG HONORED FOR YEARS OF SERVICE TO THE PEOPLE OF SANTA CLARA COUNTY

HON. ZOE LOFGREN

OF CALIFORNIA

HON. MICHAEL M. HONDA

OF CALIFORNIA

HON. ANNA G. ESHOO

OF CALIFORNIA

HON. HENRY A. WAXMAN

OF CALIFORNIA

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Ms. LOFGREN. Mr. Speaker, today we rise to recognize the achievements of Richard Wittenberg, County Executive for Santa Clara County. Mr. Wittenberg is retiring after 8 years of dedicated service to the people of Santa Clara County.

When ZOE LOFGREN was on the Santa Clara County Board of Supervisors, she searched the state of California to find Richard. In the years that followed, Richard won the hearts of many elected officials by responding quickly to their needs, having high ethical standards and working to build consensus.

Richard came to Santa Clara County from Ventura County, California where he was the Chief Executive Officer for 16 years. During his tenure there, he held various offices of the County Administrative Officers Association of California; was a member of the Commission on California Public-Private Partnership; and a member of the Ronald Reagan Presidential Library Advisory Committee.

A leader in the community as well as in his field, Richard has volunteered for the United Way, as a board member for the Brandeis-Bardin Institute, Boy Scouts of America, and as a board member of the Anti-Defamation League.

Richard leaves Santa Clara County in better shape than he arrived: the County Executive now oversees a staff of 16,000 and a $3.8 billion budget that covers the operations of parks, libraries and the sheriff's department, as well as the region's neediest residents.

Under Richard Wittenberg's dedicated leadership, Santa Clara County earned the highest bond ratings issued to any county in the state, garnering an AA+ from Standard and Poor's, and a AA2 from Moody's. Meanwhile, reserves grew from $12 million in the mid-1990's to $96 million in 2002.

We wish to thank Richard Wittenberg for his tireless and loyal service to the County and wish him the best in his future endeavors. Though we will miss his creativity, expertise and commitment, his dedication has left its mark on Santa Clara County.

TRIBUTE TO THE REPUBLIC OF TUNISIA

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. RUSH. Mr. Speaker, I rise to pay tribute to the Republic of Tunisia, who is today celebrating the 47th anniversary of its independence. Mr. Speaker, the relationship between the United States and Tunisia is based on friendship and cooperation that dates back centuries ago. I am pleased that the ties between Tunisia and the United States continues to be strong. As the United States embarks on its quest to fight the scourge of terrorism, it is comforting to know that Tunisia is also committed to join the United States in this fight.

I also would like to take this opportunity to applaud Tunisia in its effort to promote democratic governance in the region. Tunisia is one of the leading North African countries that has increased its literacy and life expectancy rates and drastically reduced the mortality rates for Tunisian children under five.

Once again, I rise to commemorate Tunisia on its 47th anniversary. Thank you.

TRIBUTE TO LEON BRIDGES

HON. JOHNNY ISAKSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. ISAKSON. Mr. Speaker, as I listen to the constant references to ''tax breaks for the rich'' and ''big business'' in the speeches of those that oppose the President's Economic Growth Package, I can't help but think of my constituent Leon Bridges.

Leon is not rich and his business is not big, but like millions of hard working Americans he is the heart and soul of the American Economy. Leon Bridges is a homebuilder and developer who employs carpenters, mason, and laborers to build homes that shelter families in my district. He borrows money to build from our community banks, and guarantees its repayment through the long hours he works. When his houses and lots sell and he makes a profit, he pays the taxes that fund the government we in this House oversee.

Leon Bridges and the millions of taxpayers like him deserve the President's Economic Growth Package and the tax reductions it includes. While some choose to demonize those who work hard, take risks, and provide jobs, I believe we should reward them—for it is they that make America prosper.

WHEN WAR COMES

HON. WM. LACY CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. CLAY. Mr. Speaker, since the beginning of the sad events leading up to this war, I have fought as a U.S. Congressman and with an enduring sense of duty and compassion for all Americans, to oppose a war that I believe is unjust and unnecessary at this time.

Now that the fighting has begun and the brave men and women of our armed forces go forward into harm's way, we must honor their sacrifices and we humbly salute their service.

As Americans we are united in prayers for their safe return. And we hope that a victory will lead us to a different era when violence will be replaced by a new vision of justice, tolerance, security and peace, for all people.

As I support our troops' dedication to service and commitment to getting the job done with as little loss of life as possible, as a Congressman and as an American I remain convinced that diplomacy should always be primary and war secondary.

Sometimes the course of history cannot be changed and nations on a collision course cannot be diverted from each other. This is one of those times. However, this too shall pass.

As we look toward the future, as we pledge to help rebuild a post-war Iraq, I would sincerely urge the Bush Administration to also work to rebuild our relationship with the people and countries that comprise the United Nations.

Already, U.N. Secretary-General Kofi A. Annan is offering his hand in cooperation. Today, he said, ''Let us not dwell on the divisions of the past. Let us confront the harsh realities of the present, however harsh, and look for ways to forge stronger unity in the future.

Also, he said, ''The peoples of the world . . . have made clear that . . . they want to see power harnessed to legitimacy. They want their leaders to come together, in the United Nations, to resolve the problems shared by all humanity,'' the Secretary-General said.

And I agree.

It is only through mutual respect and cooperation between nations that we can mount a sustained fight to end global acts of terrorism.

And at the same time we must fully address those problems and political ideologies that breed terrorists so this problem will end.

As the last remaining superpower on earth—a giant among nations—I believe we must err on the side of caution rather than risk undo injury to smaller nations that are hapless before the will of a giant, a superpower.

Again, Mr. Speaker . . . now that the fighting has begun and the brave men and women of our armed forces go forward into harm's way, we must honor their sacrifices and we humbly salute their service.

And as Americans we are united in prayers for their safe return.

God bless all the people of this earth and may the peacemakers who emerge from this conflict carry the future, for the good of all humankind.

HONORING DEBBIE ULIBARRI

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to recognize Debbie Ulibarri of Trinidad, Colorado. A teacher at Trinidad State Junior College, Debbie is an inspiration to her students, and a reminder of the important opportunities our community colleges provide. She has done much to promote the importance of higher education in my district, and today I would like to highlight her accomplishments before this body of Congress and this nation.

Debbie's story demonstrates the influential role of community colleges in our nation's communities. She arrived on the campus of Trinidad State Junior College in 1992, apprehensive about returning to school after twenty years in the workforce. Debbie found a welcoming attitude at TSJC that assuaged her fears and opened up worlds she had never dreamed of. Debbie earned her GED and two associates degrees at TSJC, and began teaching math in TSJC's Math Lab while still a student there. Debbie went on to earn a Bachelor's degree in mathematics from New Mexico Highlands University and a masters degree from Regis University. As one of the school's success stories, Debbie returned to TSJC as a full-time math instructor. She has been an innovative teacher of algebra, trigonometry and statistics, seamlessly incorporating technology into her classroom and creating on-line classes for students from all over the country. Debbie has also stepped into a leadership role at the college, serving as TSJC's accreditation coordinator as well as the math and science division chair. In recognition of her efforts, Debbie was selected at TSJC's Faculty of the Year.

Mr. Speaker, our nation's community colleges are learning centers for a wide variety of both traditional and non-traditional students, helping them achieve their goals. Debbie Ulibarri is a perfect example of how these institutions can help enhance and change a life, and it is a great privilege to salute Debbie before this body of Congress and this nation for her achievements as both a student and teacher.

A SPECIAL TRIBUTE TO JUSTIN F. CORESSEL ON THE OCCASION OF HIS 100TH BIRTHDAY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to pay special tribute to an outstanding gentleman, and good friend, from Ohio. Justin Coressel will turn 100 this Monday, March 24th. At the young age of 100, Mr. Speaker, Mr. Coressel is one of the most active and most recognized people in Northwest Ohio.

Look up the word ''humanitarian'' in the dictionary—and you will see Justin's picture. He has dedicated the better part of his life to making this world a better place for others.

Justin F. Coressel was born on March 24, 1903, in Defiance County's Richland Township. He is the son of Frank and Anna Coressel. Mr. Coressel graduated from Jewell High School and attended The Ohio State University.

Mr. Coressel was the area representative for a Paulding sugar refinery and was associated with United Appraisal Co. and J.B. Cleminshaw Co., both of Cleveland. Justin worked in their farm appraisal departments, and did right-of-way appraisals for the Ohio Highway Department. He also served as an adjuster with Federal Crop Insurance Corp. and as a farm income tax consultant. He was also farm operator for many years and is a member of St. Michael's Catholic Church.

Mr. Speaker, Justin served as President of the Board of Directors at Jewell Grain Co. and was Defiance County Chairman for the Ohio Council for Education. He is a former member and Vice-President of the Board of Directors at the Home Saving and Loan Association of Defiance and was a member of the Board of Directors at Hudson Products, Inc. Mr. Coressel is also a former member of the Board of Trustees at Defiance College. The Justin F. Coressel Football Stadium at Defiance College was named in his honor. Mr. Coressel has also provided lead gifts to fund the football stadium at Tinora High School and the Defiance County Human Shelter, both of which are named in his honor.

Mr. Speaker, Justin Coressel was a Richland Township Trustee for three terms, Secretary of Defiance County Township Trustees and Clerks Association, and Commissioner of Jurors in Defiance County. His lifetime memberships include the Ohio Historical Society, Defiance County Historical Society, Defiance County Humane Society, Jewell Volunteer Fire Department, and the Tinora Athletic Boosters. A member of Defiance Rotary, he served two terms on its Board of Directors, was the first Chairman of the Defiance Rotary Student Foundation, and was the first Paul Harris Fellow of Rotary International in District 660. Mr. Justin F. Coressel also organized Rotary 65 and served as its first President.

A member of the National Catholic Rural Life Conference, he was appointed delegate to the International Rural Life Conference in Rome, Italy, in 1967. He is a member and past Grand Knight of Knights of Columbus Council 1039. Currently, Mr. Coressel is providing numerous student college scholarships and serves as Chairman of the Justin F. Coressel Charitable Trust.

Mr. Speaker, I ask my colleagues to join me in paying special tribute to Justin F. Coressel. Our communities are served well by having such honorable and giving citizens, like Justin, who care about their well being and stability. We wish Justin all the best as we pay him tribute on the occasion of his 100th birthday.

H.R. 1104, THE CHILD ABDUCTION PREVENTION ACT

HON. PETER HOEKSTRA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 2003

Mr. HOEKSTRA. Mr. Speaker, I rise in support of H.R. 1104, the Child Abduction Prevention Act, which strengthens the punishment and consequences of criminals who dare to harm our children. An important provision in H.R. 1104 doubles the authorization level for the National Center for Missing and Exploited Children (NCMEC), which serves as the national resource center and clearinghouse to aid missing and exploited children and their families.

The Center is a private, non-profit organization, mandated by Congress, working in cooperation with the Office of Juvenile Justice and Delinquency Prevention within the U.S. Department of Justice. It is a critical resource for aiding over 18,000 law enforcement agencies throughout the nation in their search for missing children.

According to statistical data from the National Center for Missing and Exploited Children, from its inception in 1984 through the end of 2002, the Center handled 1,718,784 telephone calls through its national Hotline, 1–800–THE–LOST; trained 179,685 police and other professionals; and distributed 27,834,762 free, issue-based publications. The Center has also worked with law enforcement on 87,513 missing child cases, resulting in the recovery of 71,141 children—an incredible success rate of more than 80 percent.

The National Center for Missing and Exploited Children is uniquely positioned to access vital information to aid in the search and recovery of misisng kids. It is the only child protection non-profit organization with access to the FBI's National Crime Information Center (NCIC) Missing Person, Wanted Person, and Unidentified Person Files; the National Law Enforcement Telecommunications System (NLETS); and the Federal Parent Locator Service (FPLS). Additionally, it is the only organization operating a 24-hour, toll-free Hotline for the recovery of missing children in cooperation with the U.S. Department of Justice. It is also the sole organization operating a 24-hour, toll-free child pornography tip-line in cooperation with the U.S. Customs Service and the U.S. Postal Inspection Service.

Clearly, the National Center for Missing and Exploited Children does our country and our nation's families a great service, and I urge my colleagues to assist the Center by supporting H.R. 1104.

IN HONOR OF ''COVER THE UNINSURED WEEK''

SPEECH OF

HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 13, 2003

Ms. MILLENDER-McDONALD. Mr. Speaker, I rise this evening to offer my comments on an important issue: Access to affordable healthcare for all Americans.

This week has been designated as ''Cover the Uninsured Week.'' Three health foundations, the Robert Wood Johnson Foundation, The California Endowment, and the W.K. Kellogg Foundation sponsor ''Cover the Uninsured Week.'' A large number of national organizations have worked for the past three years to educate the public and national leaders about the uninsured. These organizations include: the U.S. Chamber of Commerce, AFL–CIO Service Employees International Union, and Blue Cross and Blue Shield Association. I would like to submit a full list of these organizations for the RECORD.

Over 41 million Americans do not have health insurance. For a Nation that considers itself a superpower, and a beacon of democracy for the rest of the world, there is no reason for almost eight out of every ten Americans who are working families to be without healthcare coverage.

In my home State of California, 6.2 million State residents were uninsured for all or part of 2001 and Californians accounted for 16 percent of the Nation's uninsured.

According to the Kaiser Family Foundation, between 2000 and 2001, the number of the uninsured increased by 1.4 million, and low income Americans (those who earn less than 200 percent of the Federal poverty level) run the highest risk of being uninsured.

For this reason, I introduced H.R. 1143, legislation that would amend Title XIX of the Social Security Act (SSA) to permit States to expand Medicaid eligibility to uninsured poor adults.

The eligibility is expanded through the creation of a new optional Medicaid eligibility group for individuals between the ages of 21 and 65 whose family income does not exceed a State-specified percentage of up to 200 percent of the applicable poverty line.

In this time of economic uncertainty, it is imperative that we, as legislators, ensure the health of all Americans. The ability to seek healthcare due to an illness or an injury should not, and cannot be dependent on where one fits on a relative scale of income.

Instead, the working poor should be confident that unfortunate incidents would not affect their ability to provide for their families while medical bills pile up.

Swift passage of my legislation will restore many Americans' faith in our fiscal policies designed to protect the health and welfare of citizens left vulnerable by the lack of Federal health care assistance available to them.

Mr. Chairman, there is indeed a health care crisis in the Nation, and while there is no simple solution, I urge all of my colleagues to take a moment to reflect on the state of the uninsured in this Nation, and support my legislation.

LIST OF ORGANIZATIONS PARTICIPATING IN COVER THE UNINSURED WEEK

U.S. Chamber of Commerce, AFL–CIO, The Business Roundtable, Service Employees International Union, Healthcare Leadership Council, AFSCME, American Medical Association, American Nurses Association, Health Insurance Association of America, Families USA, Blue Cross and Blue Shield Association, American Hospital Association, Federation of American Hospitals, Catholic Health Association of the United States, AARP and United Way of America.

BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT OF 2003

SPEECH OF

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 975) to amend title 11 of the United States Code, and for other proposes:

Mr. GUTIERREZ. Mr. Chairman, I am pleased that yesterday, during consideration of H.R. 975, the House agreed to an amendment I offered to Section 1234. As amended, Section 1234 will assure that all companies forced into involuntary bankruptcy receive the protection of the bona fide dispute standard in the manner that Congress has intended since its adoption in 1984.

Mr. Chairman, I would like to explain that my amendment changed the effective date in the involuntary bankruptcy provision of H.R. 975 also known as Section 1234. My amendment is identical to language that was included in the corresponding provision, Section 1233 of H.R. 5745, the bankruptcy reform bill passed by the House on November 15, 2002.

My amendment was a purely technical correction. Section 1234 is not new law but a clarifying restatement of Section 303 of the Bankruptcy Code, which sets the rules for involuntary cases since 1984. The purpose of the 1984 language was to bar bringing involuntary bankruptcy action in cases which where already subject of a ''bona fide dispute'' on either the existence of liability or the amount of that liability.

The purpose of the bona fide dispute standard is to prevent our overcrowded bankruptcy courts from being burdened with ordinary contract performance disputes filed as involuntary cases by forum-shopping litigants, seeking to gain undue leverage by forcing their counterparty into bankruptcy.

Ordinary contract disputes are contested on a level playing field when they are litigated in the proper forum of a civil court. And if they civil court issues a binding judgment regarding the amount that truly is due, a bona fide dispute no longer exists and an involuntary case may be initiated. But when trade creditors—especially separate affiliates of the same corporation—decline to bring a civil suit, and instead collude to force a debtor company into bankruptcy to gain an unfair advantage regarding bona fide contract disputes over contested amounts claimed to be due, it can be devastating. That devastation is particularly acute for a small business.

As soon as news of the bankruptcy gets out its employees may begin to explore other job opportunities, its suppliers start to demand cash on delivery rather than continue to abide by their standard credit and repayment terms, and its customers start to wonder if they can rely on that business into the future. The company pushed into involuntary bankruptcy is therefore put under tremendous pressure to settle the disputed matter on plantiffs' terms, quickly, regardless of the merits.''

There has been no confusion regarding the interpretation of the bona fide dispute standard at the appellate level, as all five federal appeals courts that have ruled on its scope have agreed that it covers both the questions of whether liability exists and the amount of that liability.

All that Section 1234 does is insert the term ''as to liability or amount'' into the Code so as to prevent any further misunderstanding on this matter by a small minority of bankruptcy judges. My amendment makes sure that Section 1234 apply with respect to all involuntary bankruptcy cases, regardless of whether or not the liability or the amount which is the object of the dispute.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4225–S4313

Measures Introduced: Eleven bills were introduced, as follows: S. 681–691. **Page S4275**

Congressional Budget Resolution: Senate continued consideration of S. Con. Res. 23, setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013, taking action on the following amendments proposed thereto:

Adopted:

By a unanimous vote of 97 yeas (Vote No. 66), Cochran Amendment No. 369, to make additional funds available for certain homeland security needs. **Page S4230**

By 52 yeas to 47 nays (Vote No. 67), Conrad (for Feingold/Corzine) Amendment No. 270, to set aside a reserve fund for possible military action and reconstruction in Iraq. **Page S4230**

Crapo (and Sarbanes) Amendment No. 317, to increase funding for the EPA for Clean Water State Revolving Fund and the Safe Drinking Water State Revolving Fund. **Pages S4233–35**

By 89 yeas to 10 nays (Vote No. 71), Gregg Amendment No. 377, to increase funding for Part B of the Individuals with Disabilities Education Act by reducing spending on other government programs by a commensurate amount. **Pages S4236–37**

Nickles (for Wyden) Amendment No. 328, to increase investments in implementation of the National Fire Plan to benefit national forests, the environment, local communities and local economies. **Pages S4242–4243**

Brownback Amendment No. 282, to express the sense of the Senate that a commission be established to review the efficiency of Federal agencies. **Pages S4242–43**

By 51 yeas to 49 nays (Vote No. 77), Byrd Amendment No. 387, to provide adequate funds for the National Railroad Passenger Corporation (Amtrak). **Page S4249**

Kennedy Modified Amendment No. 311, to increase the maximum Pell Grant from $4,050 to $4,500 at a cost of $1.8 billion and reduce the public debt by an additional $1.8 billion, both paid for by a reduction in the non-reconciliation tax cut. **Pages S4249–51**

Hollings Modified Amendment No. 343, to increase funding for port security. **Pages S4253–54**

By 79 yeas to 21 nays (Vote No. 79), Bond Amendment No. 358, to make available funds for certain transportation programs. **Page S4256**

Stevens/Nickles Amendment No. 391, to express the Sense of the Senate regarding highway spending. **Page S4256**

Nickles (for Smith/Clinton) Amendment No. 353, to express the sense of the Senate concerning the expansion of health care coverage.

Conrad (for Feinstein) Amendment No. 283, to express the sense of the Senate that the States and localities should be reimbursed through the State Criminal Alien Assistance Program for the fiscal burdens undocumented criminal aliens place on their criminal justice systems.

Nickles Amendment No. 390, to make a technical correction. **Pages S4256–68**

Nickles (for Voinovich) Amendment No. 388, to require annual reports on the liabilities and future costs of the Federal Government and its programs. **Pages S4256–68**

Nickles (for Hutchison) Amendment No. 389, to express the sense of the Senate regarding the urgent need for increased funding for the Corps of Engineers. **Pages S4256–68**

Conrad (for Bingaman) Amendment No. 309, to provide the Committee on Finance of the Senate with additional options to reform and improve Medicaid without the need to resort to block grant allotments with predetermined growth rates, which fail to adjust for economic recessions, demographic changes, or disasters. **Pages S4256–68**

Conrad (for Rockefeller) Modified Amendment No. 296, to express the sense of the Senate that the Attorney General should conduct a study on the need and cost to establish radio interoperability between law enforcement agencies, fire departments, and emergency medical services, and that Congress should authorize and appropriate $20,000,000 for

grants to local governments to assist fire departments and emergency medical services agencies to establish radio interoperability. **Pages S4256–68**

Rejected:

By 45 yeas to 54 nays (Vote No. 65), Schumer Amendment No. 299, to provide immediate assistance to meet pressing homeland security needs by providing funding in 2003 for first responders, port security, bioterrorism preparedness and prevention, border security and transit security, the FBI; to restore the elimination of funding of the COPS program, firefighter equipment grants, Byrne Grants and Local Law enforcement grants; to provide a sustained commitment of resources for homeland security needs without reducing funding to other key domestic law enforcement and public safety priorities; and to reduce the deficit. **Page S4228**

By 46 yeas to 53 nays (Vote No. 68), Lautenberg Amendment No. 300, to restore national security funding. **Pages S4230–32**

By 22 yeas to 77 nays (Vote No. 69), Hollings Amendment No. 265, to eliminate tax cuts. **Pages S4232–33**

By 47 yeas to 52 nays (Vote No. 70) Conrad Amendment No. 376, to provide full funding for the Individuals with Disabilities Education Act (IDEA) part B grants over ten years by reducing tax breaks for the wealthiest taxpayers. **Pages S4235–36**

By 45 yeas to 54 nays (Vote No. 72), Mikulski Amendment No. 349, to revise the resolution to accommodate in reconciliation legislation a partially refundable tax credit of up to $5,000 for eligible expenses for individuals with long-term or chronic care needs or their family caregivers who pay these expenses; in which ''eligible expenses'' shall include prescription drugs, medical bills, durable medical equipment, home health care, custodial care, respite care, adult day care, transportation to chronic care or medical facilities, specialized therapy (including occupational therapy, physical therapy, or rehabilitational therapy), other specialized services for children (including day care for children with special needs), and other long term care related expenses as defined by the Secretary of Health and Human Services; and in which ''individuals with long term or chronic care needs'' shall mean individuals with multiple chronic conditions, individuals unable to perform activities of daily living, individuals with severe cognitive impairment, individuals with complex medical conditions, and other individuals with similar levels of disability or need for care. **Pages S4237–38**

By 48 yeas to 52 nays (Vote No. 73), Clinton Amendment No. 381, to raise the 2003 caps by $3.5 billion for homeland security funding through a Domestic Defense Fund at the Department of Homeland Security's Office of Domestic Preparedness in FY 2003 and to reduce the size of newly proposed tax cuts in the amount of $7 billion to pay for this amendment and for the cost of previously passed homeland security funding. **Pages S4239–40**

By 49 yeas to 51 nays (Vote No. 74), Dorgan Amendment No. 385, to increase FY 2004 funding for the discretionary programs of the Department of Veterans Affairs by $1,019,000,000, so it matches the level proposed by a coalition of veterans groups in the Independent Budget; to decrease the deficit by a similar amount; and to use the unreconciled tax cut to pay for it. **Pages S4240–42**

Harkin Amendment No. 386 (to Amendment No. 339), to reduce the reconciliation instruction by $375 billion, reduce the size of tax cuts allowed by $980 billion and to reduce deficits by $1.1 Trillion. (By 58 yeas to 42 nays (Vote No. 75), Senate tabled the Amendment.) **Pages S4247–48**

By 38 yeas to 62 nays (Vote No. 76), Breaux Modified Amendment No. 339, to reduce tax cuts to $350 billion. **Pages S4248–49**

By 48 yeas to 52 nays (Vote No. 78), Biden Modified Amendment No. 278, to make available funds for the COPS program. **Page S4253**

A unanimous-consent agreement was reached providing that no later than 4 p.m., on Monday, March 24, 2003, the Ranking Member of the Committee on the Budget provide to the Chairman a list of 40 amendments, and the Chairman provide to the Ranking Member a list of no more than 40 amendments, which would then be in order to be offered to the budget resolution; also, that the Senate then resume consideration of S. Con. Res. 23, Budget Resolution, at 9:30 a.m. on Tuesday, March 25, 2003, and it be in order for the Majority Leader or Democratic Leader, or their designees, to offer amendments from the respective lists, with votes on or in relation to the amendments as provided for under the Budget Act; provided that no later than 4 p.m. on Wednesday, March 26, 2003, Senate proceed to a vote on adoption of S. Con. Res. 23, and that immediately upon adoption of the resolution, Senate proceed to the consideration of H. Con. Res. 95, House companion measure, and that all after the resolving clause be stricken and the text of S. Con. Res. 23, as amended, be inserted in lieu thereof, the resolution be adopted, the Senate then insist on its amendment, request a conference with the House thereon, and the Chair be authorized to appoint conferees on the part of the Senate. **Page S4313**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to Executive Order 13224, the six month periodic report on the national emergency with respect to persons who commit, threaten to commit, or support terrorism; to the Committee on Banking, Housing, and Urban Affairs. (PM–29) **Page S4274**

Nominations Confirmed: Senate confirmed the following nominations:

Kenneth M. Ford, of Florida, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2008.

Dario Fernandez-Morera, of Illinois, to be a Member of the National Council on the Humanities for a term expiring January 26, 2008.

Mary Costa, of Tennessee, to be a Member of the National Council on the Arts for a term expiring September 3, 2006.

Makoto Fujimura, of New York, to be a Member of the National Council on the Arts for a term expiring September 3, 2008.

Jerry Pinkney, of New York, to be a Member of the National Council on the Arts for a term expiring September 3, 2008.

Karen Lias Wolff, of Michigan, to be a Member of the National Council on the Arts for a term expiring September 3, 2008. **Page S4313**

Messages From the House: **Page S4274**

Measures Placed on Calendar: **Page S4274**

Executive Communications: **Pages S4274–75**

Additional Cosponsors: **Pages S4275–77**

Statements on Introduced Bills/Resolutions: **Pages S4277–95**

Additional Statements: **Pages S4273–74**

Amendments Submitted: **Pages S4295–S4312**

Privilege of the Floor: **Pages S4312–13**

Record Vote: Fifteen record votes were taken today. (Total—79) **Pages S4228, S4230, S4232, S4233, S4236, S4237, S4238, S4240, S4242, S4248–49, S4253, S4256**

Adjournment: Senate met at 9:30 a.m., and adjourned at 8:32 p.m., until 2 p.m., on Monday, March 24, 2003. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S.4313)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House will next meet at 2 p.m. on Monday, March 24, 2003.

Committee Meetings

No Committee meetings were held.

CONGRESSIONAL PROGRAM AHEAD

Week of March 24 through March 29, 2003

Senate Chamber

On *Monday,* at 2 p.m., Senate will be in a period of morning business until 5 p.m.

On *Tuesday,* at 9:30 a.m., Senate will resume consideration of S. Con. Res. 23, Budget Resolution, with a series of roll call votes to occur on certain amendments thereto.

On *Wednesday,* Senate will continue consideration of S. Con. Res. 23, Budget Resolution, with a vote on final passage of the resolution to occur no later than 4 p.m., including the adoption of H. Con. Res. 95, House companion measure.

During the balance of the week, Senate may consider any other cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: March 26, to hold hearings to examine the reauthorization of child nutrition programs, 10 a.m., SR–328A.

Committee on Appropriations: March 25, Subcommittee on Homeland Security, to hold hearings to examine proposed budget estimates for fiscal year 2004 for the Department of Homeland Security, 10 a.m., SD–106.

March 25, Subcommittee on Energy and Water Development, to hold hearings to examine proposed budget estimates for fiscal year 2004 for the Department of Energy's Office of Environmental Management, and Office of Civilian Radioactive Waste Management, 10 a.m., SD–192.

March 25, Subcommittee on District of Columbia, to hold hearings to examine proposed budget estimates for

fiscal year 2004 for the District of Columbia Courts, 9:30 p.m., SD–138.

March 26, Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2004 for the Air Force, 10 a.m., SD–192.

March 26, Subcommittee on Transportation, Treasury and General Government, to hold hearings to examine proposed budget estimates for fiscal year 2004 for the Department of the Treasury, 10 a.m., SD–138.

March 27, Subcommittee on Labor, Health and Human Services, and Education, to hold hearings to examine proposed budget estimates for fiscal year 2004 for the Department of Education, 9:30 a.m., SD–192.

March 27, Subcommittee on VA, HUD, and Independent Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2004 for the National Aeronautics and Space Administration, 10 a.m., SD–124.

March 27, Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year 2004 for the General Accounting Office, Government Printing Office, and Congressional Budget Office, 1:30 p.m., SD–124.

Committee on Armed Services: March 26, Subcommittee on SeaPower, to hold hearings to examine proposed legislation authorizing funds for fiscal year 2004 for the Department of Defense and the Future Years Defense Program, focusing on Navy shipbuilding programs, 10 a.m., SR–222.

March 26, Subcommittee on Strategic Forces, to hold hearings to examine proposed legislation authorizing funds for fiscal year 2004 for the Department of Defense, focusing on the Department of Energy Office of Environmental Management and Office of Legacy Management, 2:30 p.m., SR–222.

March 27, Full Committee, to hold hearings to examine the future of the North Atlantic Treaty Organization; to be followed by closed hearings (in Room SH–219), 10 a.m., SH–216.

March 27, Subcommittee on Personnel, to hold hearings to examine compensation for disabled military retirees in review of the Defense Authorization request for fiscal year 2004, 2:30 p.m., SR–222.

March 27, Subcommittee on Strategic Forces, to hold hearings to examine intelligence support to warfighters, in review of the Defense Authorization Request for fiscal year 2004, 2:30 p.m., SR–232A.

Committee on Banking, Housing, and Urban Affairs: March 25, to hold hearings to examine the nominations of Alfred Plamann, of California, to be a Member of the Board of Directors of the National Consumer Cooperative Bank, and Thomas Waters Grant, of New York, Noe Hinojosa, Jr., of Texas, and William Robert Timken, Jr., of Ohio, each to be a Director of the Securities Investor Protection Corporation, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: March 27, to hearings to examine the implications of cloning on women's health, 9:30 a.m., SR–253.

Committee on Energy and Natural Resources: March 25, Subcommittee on Water and Power, to hold hearings to examine S. 520, to authorize the Secretary of the Interior to convey certain facilities to the Fremont-Madison Irrigation District in the State of Idaho, and S. 625, to authorize the Bureau of Reclamation to conduct certain feasibility studies in the Tualatin River Basin in Oregon, 10 a.m., SD–366.

March 25, Subcommittee on National Parks, to hold oversight hearings to examine National Trail designations and the potential impact of National Trails on private lands, communities, and activities within the viewshed of the trails, and S. 324, to amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for certain trails in the National Trails System, S. 634, to amend the National Trails System Act to direct the Secretary of the Interior to carry out a study on the feasibility of designating the Trail of the Ancients as a national historic trail, and S. 635, to amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, 2:30 p.m., SD–366.

March 26, Subcommittee on Public Lands and Forests, to hold hearings to examine issues uncovered as a result of the Blue Ribbon Panel's report of findings on Aerial Fire Fighting Safety and responses to the report, 10 a.m., SD–366.

March 27, Full Committee, to hold hearings to examine certain proposals with respect to electricity, including S. 475, to reform the nation's outdated laws relating to the electric industry, improve the operation of our transmission system, enhance reliability of our electric grid, increase consumer benefits from whole electric competition, and restore investor confidence in the electric industry, 9:30 a.m., SD–106.

Committee on Environment and Public Works: March 26, to hold hearings to examine the nominations of Ricky Dale James, of Missouri, and Rear Adm. Nicholas Augustus Prahl, National Oceanic and Atmospheric Administration, both to be a Member of the Mississippi River Commission, and Richard W. Moore, of Alabama, to be Inspector General, Tennessee Valley Authority, 9:30 a.m., SD–406.

Committee on Finance: March 25, to hold hearings to examine the Enron situation, focusing on the Joint Committee on Taxation investigation on compensation-related issues, 10 a.m., SD–215.

Committee on Foreign Relations: March 25, to hold hearings to examine the qualifications of NATO enlargement, 9:30 a.m., SD–419.

March 26, Full Committee, to hold oversight hearings to examine foreign assistance, 9:30 a.m., SD–419.

March 26, Subcommittee on International Economic Policy, Export and Trade Promotion, to hold hearings to examine global energy security issues, 2:30 p.m., SD–106.

March 27, Full Committee, to resume hearings to examine the qualifications for NATO enlargement, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: March 26, business meeting to consider proposed legislation entitled ''Caring for Children Act of 2003'', proposed legislation entitled ''Genetics Information Nondiscrimination Act of 2003'', and other pending calendar business, 9:30 a.m., SD–430.

March 27, Full Committee, to hold hearings to examine health care transmission of global AIDS in Africa, 10 a.m., SD–430.

Committee on Indian Affairs: March 26, to hold oversight hearings to examine the Indian Gaming Regulatory Act, focusing on the role and funding of the National Indian Gaming Commission, 10 a.m., SH–216.

Committee on the Judiciary: March 26, to hold hearings to examine the nominations of Edward C. Prado, of Texas, to be United States Circuit Judge for the Fifth Circuit, Cecilia M. Altonaga, to be United States District Judge for the Southern District of Florida, Richard D. Bennett, to be United States District Judge for the District of Maryland, Dee D. Drell, to be United States District Judge for the Western District of Louisiana, J. Leon Holmes, to be United States District Judge for the Eastern District of Arkansas, and Susan G. Braden, of the District of Columbia, and Charles F. Lettow, of Virginia, each to be a Judge of the United States Court of Federal Claims, 9:30 a.m., SD–226.

House Chamber

To be announced.

House Committees

Committee on Agriculture, March 26, hearing to review Artificial Barriers to United States Agricultural Trade and Foreign Food Assistance, 10 a.m., 1300 Longworth.

Committee on Appropriations, March 25, Subcommittee on Labor, Health and Human Services, Education and Related Agencies, on Administration for Children and Families, 10:15 a.m., and on Administration on Aging, 11:15 a.m., 2358 Rayburn.

March 26, Subcommittee on Commerce, Justice, and State, the Judiciary and Related Agencies, on State and Local Law Enforcement Assistance, 10 a.m., and on FTC, 2 p.m., H–309 Capitol.

March 26, Subcommittee on Defense, executive, on U.S. Special Operations Command, 9:30 a.m., H–405 Capitol.

March 26, Subcommittee on Energy and Water Development, on U.S. Army Corps of Engineers, 10 a.m., 2362B Rayburn.

March 26, Subcommittee on Foreign Operations, Export Financing and Related Program, on the following: Export-Import Bank; U.S. Trade and Development Agency; and Overseas Private Investment Corporation, 2 p.m., H–144 Capitol.

March 26, Subcommittee on Interior, oversight hearing on Everglades, 10 a.m., B–308 Rayburn.

March 26, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, on Health Resources and Services Administration, 10:15 a.m., and on Substance Abuse Mental Health Services, 11:15 a.m., 2358 Rayburn.

March 26, Subcommittee on Transportation and Treasury, and Independent Agencies, on Members of Congress, 10 a.m., and 2 p.m., 2358 Rayburn.

March 26, Subcommittee on VA and HUD and Independent Agencies, on Department of Veterans Affairs, 10 a.m., and 1:30 p.m., 2359 Rayburn.

March 27, Subcommittee on Commerce, Justice and State, the Judiciary and Related Agencies, on FBI, 10 a.m., and on Supreme Court, Federal Judiciary, and U.S. Marshals Service, 3 p.m., 2359 Rayburn.

March 27, Subcommittee on Defense, executive, on Missile Defense, 9:30 a.m., H–140 Capitol.

March 27, Subcommittee on District of Columbia, on Court Services and Offender Supervision Agency, 1:30 p.m., 2362 Rayburn.

March 27, Subcommittee on Homeland Security, on Border Security, 2 p.m., H–140 Capitol.

March 27, Subcommittee on Labor, Health and Human Services, Education and Related Agencies, on Center for Disease Control and Prevention, 10:15 a.m., 2358 Rayburn.

March 27, Subcommittee on Transportation, Treasury and Independent Agencies, on U.S. Postal Service Retirement Payments, 10 a.m., H–143 Capitol.

March 27, Subcommittee on VA, HUD and Independent Agencies, on National Institute of Environmental Health and Services, 10 a.m., and on Consumer Product Safety Commission, 11 p.m., H–143 Capitol.

Committee on Armed Services, March 25, Subcommittee on Readiness, hearing on outsourcing and the OMB Circular A–76 process, 4 p.m., 2118 Rayburn.

March 26, Subcommittee on Tactical Air and Land Forces, hearing on the fiscal year 2004 national defense authorization budget request for Unmanned Combat Aerial Vehicle (UCAV) and Unmanned Aerial Vehicle (UAV) programs, 2 p.m., 2118 Rayburn.

March 27, Subcommittee on Projection Forces, hearing on the fiscal year 2004 national defense authorization budget request for Navy Projection Forces, 1 p.m., 2212 Rayburn.

March 27, Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on Department of Defense science and technology policy and programs for fiscal year 2004, 4 p.m., 2212 Rayburn.

March 27, Subcommittee on Total Force, hearing on the fiscal year 2004 national defense authorization budget request for the defense health program and the next generation of TRICARE contracts and TRICARE retail pharmacy contracts, 1:30 p.m., 2118 Rayburn.

Committee on the Budget, March 25, hearing on the Congressional Budget Office: Analysis of the President's Budget Fiscal Year 2004, 1 p.m., 210 Cannon.

Committee on Education and the Workforce, March 25, Subcommittee on Employer-Employee Benefits, hearing on H.R. 660, Small Business Health Fairness Act of 2003, 3 p.m., 2175 Rayburn.

Committee on Energy and Commerce, March 25, Subcommittee on Telecommunications and the Internet, hearing on H.R. 1320, Commercial Spectrum Enhancement Act, 2 p.m., 2123 Rayburn.

March 27, Subcommittee on Health, hearing entitled ''Furthering Public Health Security: Project Bioshield,'' 10 a.m., 2123 Rayburn.

Committee on Financial Services, March 25, Subcommittee on Housing and Community Opportunity, hearing entitled ''Strengthening America's Communities: Examining the Impact of Faith-Based Housing Partnerships,'' 3 p.m., 2128 Rayburn.

March 27, Subcommittee on Financial Services Institutions and Consumer Credit, hearing on H.R. 1375, Financial Services Regulatory Relief Act of 2003, 10 a.m., 2128 Rayburn.

Committee on Government Reform, March 25, Subcommittee on National Security, Emerging Threats and International Relations, hearing on Protecting the Health of Deployed Forces: Lessons Learned From the Persian Gulf War, 2 p.m., 2247 Rayburn.

March 25, Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census, hearing on ''Data Mining: Current Applications and Future Possibilities,'' 9:30 a.m., 2154 Rayburn.

March 26, Subcommittee on Government Efficiency and Financial Management, oversight hearing on ''Management and The President's Budget,'' 10:30 a.m., 2154 Rayburn.

March 27, full Committee, hearing entitled ''Point, Click, Self-Medicate: A Review of Consumer Safeguards on Internet Pharmacy Sites,'' 10 a.m., 2154 Rayburn.

March 27, Subcommittee on Criminal Justice, Drug Policy and Human Resources, hearing entitled ''ONDCP Reauthorization: The National Youth Anti-Drug Media Campaign,'' 2 p.m., 2154 Rayburn.

Committee on International Relations, March 26, Subcommittee on Asia and the Pacific, hearing on U.S. Policy Toward Southeast Asia, 2 p.m., 2200 Rayburn.

March 26, Subcommittee on International Terrorism, Nonproliferation, and Human Rights, hearing on Overview of International Terrorist Organizations, 1:30 p.m., 2172 Rayburn.

Committee on the Judiciary, March 25, Subcommittee on the Constitution, hearing and markup of H.R.760, Partial-Birth Abortion Ban Act of 2003, 2 p.m., 2237 Rayburn.

March 26, full Committee, to mark up H.R. 760, Partial-Birth Abortion Act of 2003 or S. 3, Partial-Birth Abortion Ban Act of 2003, 10 a.m., 2141 Rayburn.

March 27, Subcommittee on Courts, the Internet, and Intellectual Property, hearing on the Copyright Royalty and Distribution Act, 10 a.m., 2141 Rayburn.

Committee on Resources, March 25, Subcommittee on National Parks, Recreation and Public Lands, oversight hearing on the Status of the National Park Service Concessions Management Program and Implementing Regulations, 2 p.m., 1334 Longworth.

March 27, Subcommittee on Fisheries Conservation, Wildlife and Oceans, hearing on the following bills: H.R. 958, Hydrographic Services Amendments of 2003; H.R. 959, National Oceanic and Atmospheric Administration Oceanography Amendment Act of 2003; and H.R. 984, National Oceanic and Atmospheric Administration Act of 2003, 2 p.m., 1324 Longworth.

March 27, Subcommittee on Water and Power, oversight hearing on Water Supply and Reliability: The Role of Water Recycling, 10 a.m., 1324 Longworth.

Committee on Rules, March 25, to consider H.R. 1104, Child Abduction Prevention Act of 2003, 5 p.m., H–313 Capitol.

Committee on Science, March 25, to mark up H.R. 238, Energy Research, Development, Demonstration, and Commercial Application Act of 2003, 4 p.m., 2318 Rayburn.

March 26, hearing on Enhanced Security: Policies and Implications for Foreign Students and Scholars, 10 a.m., 2318 Rayburn.

Committee on Small Business, March 26, hearing on the impact of foreign titanium purchased by the Air Force on small and medium sized U.S. manufacturers, 2 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, March 27, Subcommittee on Aviation, hearing on Reauthorization of the Federal Aviation Administration and the Aviation Programs, 9:30 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, March 27, Subcommittee on Health, oversight hearing on the status of the implementation of Public Law 107–287, Department of Veterans Affairs Emergency Preparedness Act of 2002, and post deployment health care for veterans, 10 a.m., 334 Cannon.

Committee on Ways and Means, March 26, Subcommittee on Trade, hearing on the impact of the section 201 safeguard action on certain steel products, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, March 26, executive, hearing on General Defense Intelligence Program, 2 p.m., H–405 Capitol.

March 27, executive, hearing on Consolidated Crytologic Program, 1 p.m., H–405 Capitol.

Joint Meetings

Joint Economic Committee: March 25, to hold hearings to examine Medicare's financial crisis, focusing on the long-term financial viability of the program, proposals to add a prescription drug benefit and other reforms, 9:30 a.m., SD–628.

Next Meeting of the Senate

2 p.m., Monday, March 24

Senate Chamber

Program for Monday: Senate will be in a period of morning business until 5 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Monday, March 24

House Chamber

Program for Monday: Pro forma session.

Extensions of Remarks, as inserted in this issue

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