

construction of its chocolate and cacao manufacturing facility in Hawaii; and

Whereas, the special purpose revenue bonds demonstrated Hawaii's commitment to cacao farming and to securing a U.S. Department of Agriculture—Pacific Basin Agricultural Research Center-managed cacao germplasm center: Now, therefore, be it

*Resolved by the House of Representatives of the Twenty-First Legislature of the State of Hawaii, Regular Session of 2001, the Senate concurring,* That the Congress and the U.S. Department of Agriculture are urged to establish and fund a U.S. Department of Agriculture—Pacific Basin Agricultural Research Center-managed cacao germplasm center in Hawaii; and be it further

*Resolved,* That certified copies of this Concurrent Resolution be transmitted to the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, the Secretary of the U.S. Department of Agriculture, and to the members of Hawaii's congressional delegation.

POM-69. A resolution adopted by the House of the Legislature of the State of Hawaii relative to children with disabilities; to the Committee on Appropriations.

#### HOUSE RESOLUTION NO. 38

Whereas, under Title 20, section 1411(a) of the United States Code, the maximum amount of federal funds that a state may receive for special education and related services is the number of children with disabilities in the State who are receiving special education and related services multiplied by forty per cent of the average per-pupil expenditure in public elementary and secondary schools in the United States; and

Whereas, since the enactment of the Education for All Handicapped Children Act of 1975 and its subsequent amendments, including the Individuals with Disabilities Education Act of 1990, Congress has appropriated funds for a maximum of ten per cent of special education and related services for children with disabilities when federal law authorizes the appropriation of up to forty per cent; and

Whereas, the Hawaii Department of Education received approximately \$23,500,000 in federal funds during fiscal year 1999-2000 for what was then referred to as "education of the handicapped". If this figure represented an appropriation of funds for ten per cent of special education and related services for children with disabilities, then an appropriation of forty per cent would have equaled \$94,000,000; and

Whereas, the difference between an appropriation of forty per cent and an appropriation of ten per cent for "education of the handicapped" would amount to \$70,500,000 just for the Department of Education. If the number of students receiving special education and related services equaled 22,000 during fiscal year 1999-2000, then the difference would have amounted to approximately \$3,200 per student; and

Whereas, the State of Hawaii, through the Felix consent decree, is being compelled by the federal district court to make up for more than twenty years of insufficient funding for special education and related services—funding that should have been borne substantially by Congress, which enacted the Education for All Handicapped Children Act of 1975 and the Individuals with Disabilities Education Act of 1990; and

Whereas, if Congress is going to mandate new programs or increase the level of service under existing programs for children with disabilities, and if it is going to give the federal courts unfettered power to enforce these mandates through the imposition of fines and the appointment of masters, then Congress should provide sufficient funding for special education and related services: Now, therefore, be it

*Resolved,* By the House of Representatives of the Twenty-first Legislature of the State of Hawaii, Regular Session of 2001, that the United States Congress is requested to appropriate funds for forty per cent of special education and related services for children with disabilities; and be it further

*Resolved,* That certified copies of this Resolution be transmitted to the Speaker of the United States House of Representatives, the President pro tempore of the United States Senate, the Vice-President of the United States, and the members of Hawaii's congressional delegation.

POM-70. A resolution adopted by the Senate of the Legislature of the Commonwealth of Kentucky relative to the Railroad Retirement and Survivors' Improvement Act; to the Committee on Finance.

#### RESOLUTION NO. 70

Whereas, the Railroad Retirement and Survivors' Improvement Act of 2000 was approved in a bipartisan effort by 391 members of the United States House of Representatives in the 106th Congress, including the entire Kentucky delegation to Congress; and

Whereas, more than 80 United States Senators, including both Kentucky Senator Mitch McConnell and Kentucky Senator Jim Bunning, signed letters of support for this legislation in 2000; and

Whereas, the bill now before the 107th Congress modernizes the railroad retirement system for its 748,000 beneficiaries nationwide, including over 16,600 in Kentucky; and

Whereas, railroad management, labor, and retiree organizations have agreed to support this legislation; and

Whereas, this legislation provides tax relief to freight railroad, Amtrak, and commuter lines; and

Whereas, this legislation provides benefits improvements for surviving spouses of rail workers who currently suffer deep cuts in income when the rail retiree dies; and

Whereas, no outside contributions from taxpayers are needed to implement the changes called for in this legislation; and

Whereas, all changes will be paid for from within the railroad industry, including a full share by active employees: Now, therefore, be it

*Resolved by the Senate of the General Assembly of the Commonwealth of Kentucky:*

Section 1. This honorable body hereby urges the United States Congress to support the Railroad Retirement and Survivors' Improvement Act in the 107th Congress.

Section 2. That the Clerk of the Senate is hereby directed to transmit a copy of this Resolution to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, members of the Kentucky Congressional delegation, and to the United Transportation Union, 3904 Bishop Lane, Suite #5, Louisville, KY 40218.

POM-71. A resolution adopted by the City Counsel of Napavine, Washington relative to the Memorial Day holiday; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SMITH, of New Hampshire, from the Committee on Environment and Public Works, without amendment:

H.R. 581: A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to use funds appropriated for wildland fire management in the Department of the Interior and Related Agencies Appropriations Act, 2001, to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service to facilitate the interagency cooperation required

under the Endangered Species Act of 1973 in connection with wildland fire management.

S. 378: A bill to redesignate the Federal building located at 3348 South Kedzie Avenue, in Chicago, Illinois, as the "Paul Simon Chicago Job Corps Center."

S. 468: A bill to designate the Federal building located at 6230 Van Nuys Boulevard in Van Nuys, California, as the "James C. Corman Federal Building."

S. 757: A bill to designate the Federal building and United States courthouse located at 504 West Hamilton Street in Allentown, Pennsylvania, as the "Edward N. Cahn Federal Building and United States Courthouse."

S. 774: A bill to designate the Federal building and United States courthouse located at 121 West Spring Street in New Albany, Indiana, as the "Lee H. Hamilton Federal Building and United States Courthouse."

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. GRAMM for the Committee on Banking, Housing, and Urban Affairs.

Alphonso R. Jackson, of Texas, to be Deputy Secretary of Housing and Urban Development.

Romolo A. Bernardi, of New York, to be an Assistant Secretary of Housing and Urban Development.

John Charles Weicher, of the District of Columbia, to be an Assistant Secretary of Housing and Urban Development.

Richard A. Hauser, of Maryland, to be General Counsel of the Department of Housing and Urban Development.

By Mr. MURKOWSKI for the Committee on Energy and Natural Resources.

Lee Sarah Liberman Otis, of Virginia, to be General Counsel of the Department of Energy.

Patrick Henry Wood III, of Texas, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2005.

J. Steven Griles, of Virginia, to be Deputy Secretary of the Interior.

Nora Mead Brownell, of Pennsylvania, to be a Member of the Federal Energy Regulatory Commission for a term expiring June 30, 2006.

Nora Mead Brownell, of Pennsylvania, to be a Member of the Federal Energy Regulatory Commission for the remainder of the term expiring June 30, 2001.

(The above nominations were reported with the recommendation that they be confirmed subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Jessie Hill Roberson, of Alabama, to be an Assistant Secretary of Energy (Environmental Management).

By Mr. SMITH for the Committee on Environment and Public Works.

Stephen L. Johnson, of Maryland, to be Assistant Administrator for Toxic Substances of the Environmental Protection Agency.

Linda J. Fisher, of the District of Columbia, to be Deputy Administrator of the Environmental Protection Agency.

James Laurence Connaughton, of the District of Columbia, to be a Member of the Council on Environmental Quality.

(The above nominations were reported with the recommendation that they be confirmed.)

By Mr. THOMPSON for the Committee on Governmental Affairs.

John D. Graham, of Massachusetts, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

Stephen A. Perry, of Ohio, to be Administrator of General Services.

Angela Styles, of Virginia, to be Administrator for Federal Procurement Policy.

(The above nominations were reported with the recommendation that they be confirmed subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Maurice A. Ross, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Erik Patrick Christian, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

(The above nominations were reported with the recommendation that they be confirmed.)

#### NOMINATION DISCHARGED

The following nomination was discharged from the Committee on Foreign Relations pursuant to the order of May 23, 2001:

Howard H. Baker, Jr., of Tennessee, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Japan.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Nominee: Howard H. Baker, Jr.  
Post: U.S. Ambassador to Japan.  
Contributions, Amount, Date, and Donee:  
1. Self, Howard H. Baker, Jr.: 8/25/00, Frist 2000—General Election (In-kind contribution), \$1,550.00; 8/21/00, Frist 2000 General Election (In-kind contribution), \$300.00; 4/13/01, Frist 2000 Refund for In-kind contribution, —\$850.00; 9/25/00, Duncan for Congress—General Election, \$1,000.00; 6/9/00, Hal Rogers for Congress, \$1,000.00; 5/8/00, Henry J. Hyde for Congress Committee, \$100.00; 3/23/00, Friends of Guilianni Exploratory Committee, \$1,000.00; 3/23/00, Tennessee Republican Party, \$3,000.00; 10/25/99, Henry J. Hyde for Congress Committee, \$1,000.00; 9/24/99, Duncan for Congress—Primary Election, \$1,000.00; 8/24/99, Elizabeth Dole for President Exploratory Committee Inc., \$1,000.00; 8/9/99, Orrin Hatch Presidential Exploratory Committee Inc., \$1,000.00; 8/5/99, George W. Bush for President, Inc., \$1,000.00; 8/3/99, McCain 2000 Inc., \$1,000.00; 7/21/99, Friends of George Allen, \$1,000.00; 7/10/99, Van Hilleary for Congress (In-kind contribution) (\$1,000 was attributed to primary and \$1,000 was attributed to the general election. Remainder was refunded.), \$4,873.73; 9/22/99, Van Hilleary for Congress Refund for In-kind Contribution, —\$2,873.73; 6/28/99, Alexander for President, \$1,000.00; 6/7/99, Tennessee Republican Party, \$3,000.00; 3/16/99, Ed Bryant for Congress (In-kind contribution), \$300.00; 12/10/98, Frist 2000 Inc., \$1,000.00; 10/8/98, Van Hilleary for Congress, \$1,000.00; and 3/10/98, Tennessee Republican Party, \$3,000.00.

2. Spouse, Nancy Kassebaum Baker: 1/26/00, McCain 2000, \$1,000.00; 9/30/99, Greg Musil for Congress Committee, \$1,000.00; 6/17/99, WISH List, \$200.00; and 2/25/99, WISH List, \$250.00.

3. Children and Spouses: Cynthia Baker (daughter), 10/30/00, Van Hilleary for Congress, \$1,000.00; Darek D. and Karen Baker (son and daughter-in-law), none; Bill and Jennifer Kassebaum (stepson & stepdaughter-in-law), none; John and Elizabeth Kassebaum (stepson & stepdaughter-in-law), none; Richard Kassebaum (stepson), None; Maurice and Linda Johnson (stepdaughter & stepson-in-law), none.

4. Parents: Dora Ladd Baker, deceased; Howard H. Baker, Sr., deceased; Irene Bailey Baker (stepmother), deceased.

5. Grandparents: Christopher Ladd, deceased; Lillie Cox Ladd, deceased; James Baker, deceased; Helen Keen Baker, deceased.

6. Brothers and Spouses: None.

7. Sisters and Spouses: Mary Stuart (sister), None; Roger Stuart (brother-in-law) 3/10/99, Friends of George Allen, \$500.00; Beverly and Mike Patetides (sister & brother-in-law), none.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BAUCUS:

S. 935. A bill to authorize the negotiation of a Free Trade Agreement with the Commonwealth of Australia, and to provide for expedited congressional consideration of such an agreement; to the Committee on Finance.

By Mr. ALLARD (for himself, Mr. JOHNSON, and Mr. THOMAS):

S. 936. A bill to amend the Internal Revenue Code of 1986 to expand S corporation eligibility for banks, and for other purposes; to the Committee on Finance.

By Mr. CLELAND (for himself, Mr. WARNER, Mr. LEVIN, Mr. KENNEDY, Mr. REED, Ms. LANDRIEU, Mrs. CARNAHAN, Mr. DAYTON, Mr. BINGAMAN, and Mr. LIEBERMAN):

S. 937. A bill to amend title 38, United States Code, to permit the transfer of entitlement to educational assistance the Montgomery GI Bill by members of the Armed Forces, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. JEFFORDS (for himself, Mr. DODD, Mr. FITZGERALD, and Mr. BROWNBACK):

S. 938. A bill to amend the Internal Revenue Code of 1986 to provide that the exclusion from gross income for foster care payments shall also apply to payments by qualifying placement agencies, and for other purposes; to the Committee on Finance.

By Mrs. HUTCHISON:

S. 939. A bill to amend the Immigration and Nationality Act to confer citizenship automatically on children residing abroad in the legal and physical custody of a citizen parent serving in a Government or military position abroad; to the Committee on the Judiciary.

By Mr. DODD (for himself, Mr. KENNEDY, and Mr. WELLSTONE):

S. 940. A bill to leave no child behind; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 941. A bill to revise the boundaries of the Golden Gate National Recreation Area in the State of California, to extend the term of the advisory commission for the recreation area,

and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GRAHAM (for himself, Mrs. HUTCHISON, Mr. BINGAMAN, Mr. HUTCHINSON, Mr. BREAUX, Mr. ENSIGN, Mr. BAUCUS, Mrs. LINCOLN, and Mr. THOMPSON):

S. 942. A bill to authorize the supplemental grant for population increases in certain states under the temporary assistance to needy families program for fiscal year 2002; to the Committee on Finance.

By Mr. BAUCUS:

S. 943. A bill to authorize the negotiation of a Free Trade Agreement with New Zealand, and to provide for expedited congressional consideration of such an agreement; to the Committee on Finance.

By Mr. BAUCUS:

S. 944. A bill to authorize the negotiation of a Free Trade Agreement with the Republic of Korea, and to provide for expedited congressional consideration of such an agreement; to the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BROWNBACK (for himself and Mrs. BOXER):

S. Con. Res. 42. A bill condemning the Taleban for their discriminatory policies and for other purposes; to the Committee on Foreign Relations.

#### ADDITIONAL COSPONSORS

S. 60

At the request of Mr. BYRD, the names of the Senator from Virginia (Mr. ALLEN) and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S. 60, a bill to authorize the Department of Energy programs to develop and implement an accelerated research and development program for advanced clean coal technologies for use in coal-based electricity generating facilities and to amend the Internal Revenue Code of 1986 to provide financial incentives to encourage the retrofitting, repowering, or replacement of coal-based electricity generating facilities to protect the environment and improve efficiency and encourage the early commercial application of advanced clean coal technologies, so as to allow coal to help meet the growing need of the United States for the generation of reliable and affordable electricity.

S. 145

At the request of Mr. THURMOND, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 145, a bill to amend title 10, United States Code, to increase to parity with other surviving spouses the basic annuity that is provided under the uniformed services Survivor Benefit Plan for surviving spouses who are at least 62 years of age, and for other purposes.

S. 228

At the request of Mr. AKAKA, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 228, a bill to amend title 38,