

received on August 2, 2001; to the Committee on Finance.

EC-3271. A communication from the Regulations Coordinator of the Center for Medicaid and Medicare Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Prospective Payment System for Inpatient Rehabilitation Facilities" (RIN0938-AJ55) received on August 2, 2001; to the Committee on Finance.

EC-3272. A communication from the Regulations Coordinator of the Centers for Medicaid and Medicare Services, Department of Health and Human Service, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Changes to the Hospital Inpatient Prospective Payment Systems and Rates and Costs of Graduate Medical Education; Fiscal Year 2002 Rates" (RIN0938-AK20, 0938-AK73, 0938-AK74) received on August 2, 2001; to the Committee on Finance.

#### PETITIONS AND MEMORIALS

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

POM-173. A resolution adopted by the City Council of Fairview Park, Ohio relative to NASA; to the Committee on Commerce, Science, and Transportation.

POM-174. A concurrent resolution adopted by the House of the Legislature of the State of New Hampshire relative to Turkey and the Republic of Cyprus; to the Committee on Foreign Relations.

#### HOUSE CONCURRENT RESOLUTION 9

Whereas, in 1974, Turkey sent armed forces to Cyprus and occupied over 36 percent of the land, creating widespread displacement of Greek Cypriots from the northern part of the island; and

Whereas, the international community and the United States Government have repeatedly called for the speedy withdrawal of all foreign forces from Cyprus; and

Whereas, a peaceful, just, and lasting solution to the Cyprus problem would greatly benefit the security and the political, economic, and social well-being of all Cypriots, as well as contribute to improved relations between Greece and Turkey; and

Whereas, the attention of the world will be focused on this region when the Olympics are held in Greece in 2002; and

Whereas, United Nations Security Council Resolutions 1250 and 1251, adopted on June 26, 1999, and June 29, 1999, respectively, provided parameters for a solution and were supported by the United States; and

Whereas, Resolution 1250 reaffirms all its earlier resolutions on Cyprus, particularly Resolution 1218 of December 22, 1998, and

Whereas, Resolution 1251 reaffirms that the status quo is unacceptable and that negotiations on a final political solution to the Cyprus problem have been at an impasse for too long; and

Whereas, Resolution 1251 also reiterates the United Nations' position that a Cyprus settlement must be based on a state of Cyprus with a single sovereignty and international personality and a single citizenship, with its independence and territorial integrity safeguarded, and comprising 2 politically equal communities as described in the relevant United Nations Security Council resolutions, in a bicomunal and bizonal federation, and that such a settlement must exclude union in whole or in part with any other country or any form of partition or secession; and

Whereas, despite such resolutions over 30,000 Turkish armed forces remain stationed

on the island of Cyprus with no substantial progress toward the establishment of an independent, bicomunal federation; and

Whereas, efforts by the United Nations and the United States to resolve this dispute remain unsuccessful; Now, therefore, be it

*Resolved by the House of Representatives, the Senate concurring:*

That the general court of New Hampshire hereby urges the President of the United States to increase the administration's efforts in mediating a peaceful resolution to the dispute in Cyprus; and

That the general court of New Hampshire hereby urges the President of the United States to persuade Turkey to comply with United Nations Security Council resolutions addressing Cyprus and to cooperate fully in achieving lasting peace and independence for the Republic of Cyprus; and

That copies of this resolution, signed by the speaker of the house and the president of the senate, be forwarded by the house clerk to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, each member of the New Hampshire Congressional delegation, the President of the Republic of Cyprus, the American Ambassador to Cyprus, the Cypriot Ambassador to the United States, and the Turkish Ambassador to the United States.

POM-175. A concurrent resolution adopted by House of the Legislature of the State of Delaware relative to Clean Air Act; to the Committee on Environment and Public Works.

#### HOUSE CONCURRENT RESOLUTION NO. 12

Whereas, methyl tertiary butyl ether (MTBE) is a volatile organic compound derived from natural gas that is added to gasoline either seasonally or year-round in many parts of the United States to increase the octane level and to reduce carbon monoxide and ozone levels in the air; and

Whereas, MTBE is found in gasoline and other petroleum products commonly stored in underground storage tanks and is typically added to reformulated gasoline, oxygenated fuel and premium grades of unleaded gasoline; and

Whereas, health complaints related to MTBE in the air were first reported in Alaska in November 1992 when about 200 Fairbanks residents reported problems such as headaches, dizziness, eye irritation, burning of the nose and throat, disorientation and nausea; and

Whereas, similar health complaints have been registered in Anchorage, Alaska, Milwaukee, Wisconsin, Missouri, Montana, and New Jersey; and

Whereas, currently the United States Environmental Protection Agency (EPA) tentatively classifies MTBE as a possible human carcinogen; and

Whereas, MTBE is one the EPA's Drinking Water Priority List, which means that it is a possible candidate for future regulation; and

Whereas, there is widespread concern about the health risks presented by the continued use of MTBE in gasoline; and

Whereas, on January 3, 2001, H.R. 20 was introduced in the United States House of Representatives; and

Whereas, H.R. 20 amends section 211 of the Clean Air Act (69 Stat. 322, 42 U.S.C. §7401 et seq.) to modify the provisions regarding the oxygen content of reformulated gasoline and to improve the regulation of the fuel additive, methyl tertiary butyl ether (MTBE); Now therefore be it

*Resolved*, That the House of Representatives of the 141st General Assembly of the State of Delaware, the Senate thereof con-

curring therein, memorializes the Congress of the United States to enact H.R. 20, that was introduced on January 3, 2001, and that modifies provisions of the Clean Air Act, regarding the oxygen content of reformulated gasoline and improves the regulation of the fuel additive methyl tertiary butyl ether (MTBE).

POW-176. A joint resolution adopted by the Legislature of the State of Maine relative to Election Reform; to the Committee on Rules and Administration.

#### JOINT RESOLUTION

Whereas, Maine citizens believe election outcomes are rightfully determined by voters, not state and federal courts of law; and

Whereas, in recent local, state and federal elections, outdated voting technology and numerous other problems concerning the election process in the nation as a whole have led to action in state and federal courts; and

Whereas, concerns about the integrity of the voting process, whether well-founded or not, point to the inadequacies of voting procedures that exist nationwide; and

Whereas, we wish to acknowledge the citizens' desire to channel these concerns into action to result in substantial election reform that will ensure nondiscriminatory equal access to the election system for all voters, including seniors and the disabled and minority, military and overseas citizens, and to ensure the complete and accurate counting of all valid votes cast: Now, therefore, be it

*Resolved*, That We, your Memorialists, respectfully urge and request the Congress of the United States to support significant reforms to our nation's voting system; and be it further

*Resolved*, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Speaker of the United States House of Representatives, the President of the United States Senate and each Member of the Maine Congressional Delegation in support of major electoral reform in order to ensure that the true intent of the country's voters determines the outcome of all future elections.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Governmental Affairs, without amendment:

H.R. 93: A bill to amend title 5, United States Code, to provide that the mandatory separation age for Federal firefighters be made the same as the age that applies with respect to Federal law enforcement officers.

H.R. 364: A bill to designate the facility of the United States Postal Service located at 5927 Southwest 70th Street in Miami, Florida, as the "Marjory Williams Scrivens Post Office".

H.R. 821: A bill to designate the facility of the United States Postal Service located at 1030 South Church Street in Asheboro, North Carolina, as the "W. Joe Trogdon Post Office Building".

H.R. 1183: A bill to designate the facility of the United States Postal Service located at 113 South Main Street in Sylvania, Georgia, as the "G. Elliot Hagan Post Office Building".

H.R. 1753: A bill to designate the facility of the United States Postal Service located at 419 Rutherford Avenue, N.E., in Roanoke, Virginia, as the "M. Caldwell Butler Post Office Building".

H.R. 2043: A bill to designate the facility of the United States Postal Service located at

2719 South Webster Street in Kokomo, Indiana, as the "Elwood Haynes 'Bud' Hillis Post Office Building".

By Mr. LEAHY, from the Committee on the Judiciary, with amendments:

S. Res. 2133: A bill to establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in *Brown v. Board of Education*.

By Mr. LEAHY, from the Committee on the Judiciary, with amendments and an amendment to the title and with a preamble:

S. Res. 138: A resolution designating the month of September as "National Prostate Cancer Awareness Month".

By Mr. LEAHY, from the Committee on the Judiciary, without amendment and with a preamble:

S. Res. 143: A resolution expressing the sense of the Senate regarding the development of educational programs on veterans' contributions to the country and the designation of the week of November 11 through November 17, 2001, as "National Veterans Awareness Week".

S. Res. 145: A resolution recognizing the 4,500,000 immigrants helped by the Hebrew Immigrant Aid Society.

S. Res. 146: A resolution designating August 4, 2001, as "Louis Armstrong Day".

By Mr. LIEBERMAN, from the Committee on Governmental Affairs, without amendment:

S. 271: A bill to amend title 5, United States Code, to provide that the mandatory separation age for Federal firefighters be made the same as the age that applies with respect to Federal law enforcement officers.

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 356: A bill to establish a National Commission on the Bicentennial of the Louisiana Purchase.

By Mr. LIEBERMAN, from the Committee on Governmental Affairs, without amendment:

S. 737: A bill to designate the facility of the United States Postal Service located at 811 South Main Street in Yerington, Nevada, as the "Joseph E. Dini, Jr. Post Office".

S. 970: A bill to designate the facility of the United States Postal Service located at 39 Tremont Street, Paris Hill, Maine, as the Horatio King Post Office Building.

S. 985: A bill to designate the facility of the United States Postal Service located at 113 South Main Street in Sylvania, Georgia, as the "G. Elliot Hagan Post Office Building".

S. 1026: A bill to designate the United States Post Office located at 60 Third Avenue in Long Branch, New Jersey, as the "Pat King Post Office Building".

By Mr. LEAHY, from the Committee on the Judiciary, with amendments:

S. 1046: A bill to establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in *Brown v. Board of Education*.

By Mr. LIEBERMAN, from the Committee on Governmental Affairs, without amendment:

S. 1144: A bill to amend title III of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11331 et seq.) to reauthorize the Federal Emergency Management Food and Shelter Program, and for other purposes.

S. 1181: A bill to designate the facility of the United States Postal Service located at 2719 South Webster Street in Kokomo, Indiana, as the "Elwood Haynes 'Bud' Hillis Post Office Building".

S. 1198: A bill to reauthorize Franchise Fund Pilot Programs.

By Mr. DODD, from the Committee on Rules and Administration, without amendment:

S.J. Res. 19: A joint resolution providing for the reappointment of Anne d'Harnoncourt as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 20: A joint resolution providing for the appointment of Roger W. Sant as a citizen regent of the Board of Regents of the Smithsonian Institution.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. ALLARD for the Committee on Armed Services.

\*Ronald M. Sega, of Colorado, to be Director of Defense Research and Engineering.

By Mr. CLELAND for the Committee on Armed Services.

\*Mario P. Fiori, of Georgia, to be an Assistant Secretary of the Army.

By Mr. LEVIN for the Committee on Armed Services.

\*Michael Parker, of Mississippi, to be an Assistant Secretary of the Army.

\*H.T. Johnson, of Virginia, to be an Assistant Secretary of the Navy.

\*John P. Stenbit, of Virginia, to be an Assistant Secretary of Defense.

\*Michael L. Dominguez, of Virginia, to be an Assistant Secretary of the Air Force.

\*Nelson F. Gibbs, of California, to be an Assistant Secretary of the Air Force.

Mr. LEVIN for the Committee on Armed Services.

Air Force nomination of Lt. Gen. Paul V. Hester.

Army nomination of Lt. Gen. Larry R. Ellis.

Navy nominations beginning Capt. CHRISTOPHER C. AMES and ending Capt. PATRICK M. WALSH, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2001, [Minus 1 name: Capt. Robert D. Jenkins, III] Marine Corps nomination of Lt. Gen. Earl B. Hailston.

Mr. WARNER for the Committee on Armed Services.

Air Force nomination of Gen. John P. Jumper.

Mr. LEVIN. Mr. President, for the Committee on Armed Services, I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Army nominations beginning BYUNG H\* AHN and ending ELIZABETH S\* YOUNGBERG, which nominations were received by the Senate and appeared in the Congressional Record on July 12, 2001.

Marine Corps nominations beginning MICHAEL K. TOELLNER and ending MICHAEL T. ZIEGLER, which nominations were received by the Senate and appeared in the Congressional Record on July 24, 2001.

By Mr. HOLLINGS for the Committee on Commerce, Science, and Transportation.

\*Kirk Van Tine, of Virginia, to be General Counsel of the Department of Transportation.

\*Jeffrey William Runge, of North Carolina, to be Administrator of the National Highway Traffic Safety Administration.

\*Nancy Victory, of Virginia, to be Assistant Secretary of Commerce for Communications and Information.

\*John Arthur Hammerschmidt, of Arkansas, to be a Member of the National Transportation Safety Board for the remainder of the term expiring December 31, 2002.

\*Otto Wolff, of Virginia, to be an Assistant Secretary of Commerce.

\*Otto Wolff, of Virginia, to be Chief Financial Officer, Department of Commerce.

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

\*Theresa Alviljar-Speake, of California, to be Director of the Office of Minority Economic Impact, Department of Energy.

By Mr. LIEBERMAN for the Committee on Governmental Affairs.

\*Daniel R. Levinson, of Maryland, to be Inspector General, General Services Administration.

Lynn Leibovitz, 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.

Mr. LEAHY for the Committee on the Judiciary.

William J. Riley, of Nebraska, to be United States Circuit Judge for the Eighth Circuit.

Sarah V. Hart, of Pennsylvania, to be Director of the National Institute of Justice.

Robert S. Mueller, III, of California, to be Director of the Federal Bureau of Investigation for the term of ten years.

Mr. ROCKEFELLER for the Committee on Veterans Affairs:

Claude M. Kicklighter, of Georgia, to be an Assistant Secretary of Veterans Affairs (Policy and Planning).

John A. Gauss, of Virginia, to be an Assistant Secretary of Veterans Affairs (Information and Technology).

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

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### 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. BINGAMAN (for himself and Mr. HATCH):

S. 1302. A bill to authorize the payment of a gratuity to members of the armed Forces and civilian employees of the United States who performed slave labor for Japan during World War II, or the surviving spouses of such members, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KERRY:

S. 1303. A bill to amend title XVIII of the Social Security Act to provide for payment under the medicare program for more frequent hemodialysis treatments; to the Committee on Finance.

By Mr. KERRY:

S. 1304. A bill to amend title XVIII of the Social Security Act to provide for coverage under the medicare program of oral drugs to reduce serum phosphate levels in dialysis patients with end-stage renal disease; to the Committee on Finance.

By Mr. GRAHAM (for himself and Mr. GRASSLEY):

S. 1305. A bill to amend the Internal Revenue Code of 1986 to clarify the status of professional employer organizations and to promote and protect the interests of professional employer organizations, their customers, and workers; to the Committee on Finance.