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Senate

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-33. A resolution adopted by the Legislature of the State of California relative to military reserve personnel; to the Committee on Armed Services.

JOINT RESOLUTION NO. 26

Whereas, The military reserve forces of the United States provide a valuable service to the citizens of the United States; and

Whereas, Military reserve personnel make up 60 percent of the total armed forces of the United States; and

Whereas, The reserve forces of the United States military provide for the continuing freedom and pursuit of democracy throughout the world; and

Whereas, The military reserve upholds our values and beliefs in times of peace as well as war; and

Whereas, Evidence suggests the members of the military reserve may be discriminated against due to their reserve status when applying for financing; and

Whereas, The discrimination results in members of the military reserve being charged higher interest rates for loans due to their reserve status; and

Whereas, This discrimination is an attempt to circumvent the Soldiers and Sailors Relief Act of 1940; and

Whereas, The Soldiers and Sailors Relief Act of 1940 specifies that should a member of the military reserve be called to active duty, that person's outstanding loans shall be capped at a 6 percent interest rate should the soldier prove that his or her active duty status would put him or her in financial hardship; and

Whereas, The practice of subprime lending based on reserve status is not prohibited by federal law; and

Whereas, California has taken the lead in protecting the military reserve and the National Guard in California through Assembly Bill 120 of the 2001-02 Regular Session; and

Whereas, We must protect the interest of our military reserve personnel in order to preserve military readiness and morale; and

Whereas, The federal government must stand firm in upholding the rights and duties of the military reserve and continue to demonstrate leadership in the implementation of a strong military force: Now, therefore, be it

Resolved by the Assembly and Senate of the State of California jointly, That the Legislature of the State of California memorializes the President and Congress of the United States to do all of the following:

(a) Stand firm in protecting the financial interest of military reserve personnel.

(b) Enact new legislation that strengthens the provisions of the Soldiers and Sailors Relief Act of 1940.

(c) Look into the practice of predatory lending against military reservists based on their reserve status.

(d) Enact legislation that makes it a crime to discriminate against military reserve personnel based on reserve status when applying for financing; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States and to all members of Congress of the United States.

POM-34. A resolution adopted by the Legislature of the State of California relative to the reunification of Cyprus and its accession to the European Union; to the Committee on Foreign Relations.

ASSEMBLY JOINT RESOLUTION NO. 48

Whereas, For 27 years Turkey has illegally occupied 37 percent of the territory of the Republic of Cyprus and during that time has continually violated the will of the international community, including the United States and the United Nations, that Turkey cease its illegal occupation of Cyprus; and

Whereas, It is the position of the United States government that a political settlement to the Cyprus problem should be based on United Nations Security Council Resolutions; and

Whereas, These resolutions provide 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 two politically equal communities as described in the relevant Security Council resolutions, in a bicomunal and bizonal federation; and

Whereas, The resumption of direct talks in January 2002, in the context of the Good Offices of the Secretary General, to find a just and viable solution to the Cyprus problem is an encouraging development that should be sustained and intensified in order to arrive, by the target date of June 2002, to an agreement; and

Whereas, The members of the Security Council, reiterated, on April 4, 2002, their full support for the negotiating process and for the Secretary General's mission entrusted to him by the Security Council in Security Council Resolution 1250, which was adopted on June 29, 1999, and urged the leaders to work for reaching a comprehensive settlement and takes full consideration of the relevant United Nations Resolutions and Treaties; 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 will serve the interests of the United States in the region; and

Whereas, Security, reconciliation, and prosperity for all Cypriots can be best achieved within the context of membership in the European Union which will provide significant rights and obligations for all Cypriots; and

Whereas, The prospect of Cyprus' accession to the European Union has acted as a catalyst for the resumption of the talks aimed at reaching a solution of the Cyprus problem: Now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature calls upon the President of the United States to increase the administration's efforts to encourage initiatives that will help promote and achieve reunification, reconciliation, stability, and prosperity in Cyprus within the context of the ongoing efforts under the United Nations Secretary General's auspices and on the basis of the relevant United Nations Security Council Resolutions; and be it further

Resolved, That the Assembly and Senate of the State of California, jointly, request the United States government to continue to strongly support the accession of Cyprus to the European Union, without a settlement of the Cyprus problem being a precondition for accession; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the United States House of Representatives, and to each Senator and Representative in the Congress of the United States.

POM-35. A resolution adopted by the Legislature of the State of California relative to

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disabled military retirees; to the Committee on Armed Services.

ASSEMBLY JOINT RESOLUTION NO. 34

Whereas, A penalty is imposed against disabled military retirees for concurrent receipt of retirement and disability compensation; and

Whereas, If a member of the armed forces retires with 20 or more year of service to this country, earning retirement compensation, and this same retiree has a major disability resulting from wounds or service connected activities, \$1 from his or her retirement check is deducted for each dollar of disability payment received; and

Whereas, This law requires retired military personnel to do something no one else in America is obligated to do—pay for their own disability; and

Whereas, For many years, veterans' organizations and disabled veterans battled to change this law; and

Whereas, Last year, Congress recognized that disabled military retirees had a legitimate complaint and introduced legislation that was designed to correct this policy; and

Whereas, Included within the National Defense Authorization Act For Fiscal Year of 2002 is legislation that will end this discriminatory practice of deducting disability compensation from retirement pay. However, the legislation will be effective only if the President requests money to cover its costs in his next budget; and

Whereas, These disabled military retirees fought in World War II, Korea, Vietnam, the Persian Gulf and a dozen brush fire wars in unremembered countries, risking everything for our country. They gave of their youth and health, only to be retired with a disability that they are forced to pay for out of their own pockets; and

Whereas, The discrimination our country has displayed for its disabled military retirees should not be passed on to those young people who are now fighting our War Against Terrorism: Now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly. That the Legislature of the State of California respectfully memorializes the Congress and the President of the United States to urge the Congress of the United States to fund the National Defense Authorization Act For Fiscal Year of 2002, to eliminate the penalty imposed against disabled military retirees for concurrent receipt of retirement and disability compensation; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, and to the Speaker of the House of Representatives, the President of the Senate; and each Member in the Congress of the United States.

POM-36. A resolution adopted by the Legislature of the State of California relative to the extradition of Criminals; to the Committee on Foreign Relations.

ASSEMBLY JOINT RESOLUTION NO. 63

Whereas, The Mexican Supreme Court ruled in October 2001 that Mexico will not extradite criminals who face life sentences in the United States; and

Whereas, The United States Constitution prohibits states from entering into treaties with foreign governments to protect their citizens and arrange extradition for criminals; and

Whereas, The person or persons responsible for the April 29, 2002, murder of Los Angeles County Sheriff Deputy David March is believed to have fled to Mexico to avoid prosecution; and

Whereas, California and other states must rely upon the federal government to resolve this issue of national importance; and

Whereas, The Attorney General from each of the 50 states has asked United States Attorney General John Ashcroft and United States Secretary of State Colin Powell to address this extradition issue with their counterparts in Mexico: Now, therefore, be it

Resolved, by the Assembly and Senate of the State of California, jointly. That the extradition from Mexico of all criminals who face life sentences is a matter of urgent and enduring importance to the State of California; and be it further.

Resolved, That California's Senators and Members of the House of Representatives should take all prudent and necessary steps to ensure that this matter is addressed at the highest levels of our federal government; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President of the United States, the United States Attorney General, the United States Secretary of State, and to each member of the Congress of the United States.

POM-37. A resolution adopted by the Legislature of the State of California relative to the Armenian Genocide; to the Committee on the Judiciary.

ASSEMBLY JOINT RESOLUTION NO. 44

Whereas, One and one-half million men, women, and children of Armenian descent were victims of the brutal genocide perpetrated by the Ottoman Empire from 1915 to 1923; and

Whereas, The Armenian Genocide and massacre of the Armenian people have been recognized as an attempt to eliminate all traces of a thriving and noble civilization over 3,000 years old; and

Whereas, To this day revisionists still inexplicably deny the existence of these horrific events; and

Whereas, By consistently remembering and openly condemning the atrocities committed against the Armenians, California residents demonstrate their sensitivity to the need for constant vigilance to prevent similar atrocities in the future; and

Whereas, Recognition of the 87th anniversary of this genocide is crucial to preventing the repetition of future genocides and educating people about the atrocities connected to these tragic events; and

Whereas, Armenia is now a free and independent republic, having embraced democracy following the dissolution of the Soviet Union; and

Whereas, California is home to the largest population of Armenians in the United States, and those citizens have enriched our state through their leadership in the fields of business, agriculture, academia, medicine, government, and the arts and are proud and patriotic practitioners of American citizenship: Now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly. That the Legislature of the State of California hereby designates April 24, 2002, as "California Day of Remembrance for the Armenian Genocide of 1915-1923"; and be it further

Resolved, That the State of California respectfully memorializes the Congress of the United States to likewise act to commemorate the Armenian Genocide; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President of the United States, Members of the United States Congress, the Governor, and Armenian churches and commemorative organizations in California.

POM-38. A resolution adopted by the Legislature of the State of California relative to commending Title IX of the Education

Amendments of 1972; to the Committee on Health, Education, Labor, and Pensions.

ASSEMBLY JOINT RESOLUTION NO. 47

Whereas, June 23, 2002, marks the celebration of the 30th anniversary of Title IX of the Education Amendments enacted by the United States Congress and signed into law in 1972, and upon this occasion, it is deserving of special public commendations; and

Whereas, Title IX of the Education Amendments of 1972, which is one of the most significant pieces of federal legislation passed in the 20th century, prohibits discrimination on the basis of sex in education programs and activities at education institutions that receive federal funds, and it is an omnibus education law affecting all curricular and extracurricular offerings, from medicine, law, and science to drama, dance, and athletics; and

Whereas, Girls and women throughout the ages that participated in a variety of sports and physical activities in school, community, and club programs; and

Whereas, Prior to the passage of Title IX, there were few opportunities for girls and women to participate in high school or college athletics; and

Whereas, Participation in sports in acknowledged as a positive force in developing and promoting physical, mental, moral, social, and emotional well-being, and it is well-established that participation in athletics builds self-esteem, communication skills, discipline, and perseverance, all qualities that make a positive and significant difference in the quality of life and in the level of accomplishment; and

Whereas, Participation in girls youth and high school sports leagues has risen to a record level, and participation by female collegiate athletes now represents 41 percent of all varsity athletes; and

Whereas, Girls who participate in sports have the opportunity to develop strong interpersonal relationships while learning teamwork, goal-setting, and other achievement-oriented behaviors; and

Whereas, Participation in athletics strengthens family bonds between young women and their parents who may have participated in athletics themselves, and engaging in physical activities and sporting events as a family unit further enhances family bonds; and

Whereas, Teenage female athletes are less likely to use marijuana, cocaine, or other illicit drugs, less likely to be suicidal, less likely to smoke, and more likely to have positive body images than female nonathletes, and women student athletes graduate at a significantly higher rate than women students in general; and

Whereas, Teenage female athletes are 50 percent less likely to become pregnant as female nonathletes, less likely to have sex as teenagers than female nonathletes, and more likely to postpone their first sexual experience than female nonathletes; and

Whereas, Many female athletes have distinguished themselves as representatives of California and the nation in international competition and the Olympic Games, and during the 2000 Summer Olympics, women competed for the first time in the same number of team sports as men; and

Whereas, Professional female athletes now compete in leagues such as the Women's United Soccer Association, the Women's National Basketball Association, the Women's Tennis Association, the Ladies Professional Golf Association, Women's Professional Softball League, and the Women's Professional Football League, and the United States Professional Volleyball League will launch in 2002; and

Whereas, The increased visibility of female athletes provide people, young and old, female and male, with positive role models,

and many women agree that seeing successful female athletes make them feel great pride as women; and

Whereas, Title IX continues to break down the gender barriers in educational institutions, giving women the opportunity to strive and achieve for excellence and realize the best with themselves; and

Whereas, Women of all ages should be encouraged to compete and contribute to sports at all levels of competition and to ensure opportunity for the next generation of female athletes and sports leaders as we enter the new millennium: Now therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California memorializes the President and Congress of the United States to do all of the following:

(1) Stand firm in their resolve to uphold the intent and substance of the current provision of Title IX of the Education Amendments of 1972.

(2) Pursue a strong enforcement policy for Title IX of the Education Amendments of 1972 and strengthen the compliance and enforcement policies of the U.S. Department of Education's Office for Civil Rights (OCR).

(3) Support the continuation of the strong compliance standards that are currently in place for Title IX of the Education Amendments of 1972.

(4) Encourage all Americans to participate in the national celebration, "Celebrating 30 Years of Title IX"; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President of the United States and to all Members of Congress of the United States.

POM-39. A joint resolution adopted by the Senate of the State of California relative to stem cell research; to the Committee on Health, Education, Labor, and Pensions.

SENATE JOINT RESOLUTION NO. 38

Whereas, The United States is a world leader in the discovery and invention of technology that improves the health and quality of lives of individuals; and

Whereas, California is a state whose scientific achievements and research regarding recombinant DNA outstrip the rest of the country; and

Whereas, California's success with respect to biotechnology is largely attributable to the freedom of researchers to perform pioneering work at the frontiers of scientific discovery; and

Whereas, The biotechnology industry contributes to the growth of the state and national economy, and produces a significant amount of jobs and revenue; and

Whereas, Therapeutic cloning promises to be the next field of rapid progress in the realm of biotechnology; and

Whereas, Scientists confirm that embryonic stem cells hold far more potential than adult stem cells as to the development of treatments and cures for disease; and

Whereas, A prohibition on stem cell research would stifle scientific innovation, diminish the ability of biomedical companies to maintain the nation's role as the reigning world leader in biotechnology and biomedicine, drive talented scientists outside the country, and set the United States decades behind other nations in the development of medical therapies; and

Whereas, An estimated 128 million Americans suffer the debilitating physiological, economic, and emotional burdens of chronic and degenerative diseases, including diabetes, heart disease, Parkinson's disease, spinal cord injury, cancer, and Alzheimer's disease; and

Whereas, The cost of treatment for these diseases and of lost productivity totals hundreds of billions of dollars every year; and

Whereas, Stem cell research provides a critical means to unlock fundamental questions of cellular biology that are key to curing cancer; and

Whereas, Stem cell research has immense potential to provide medical therapies to cure and treat many other debilitating diseases; and

Whereas, A prohibition on stem cell research and therapeutic cloning will deny over one-third of Americans their foremost opportunity for a cure or effective treatment for disease, by denying scientists the chance to develop efficient medications and therapies; and

Whereas, The United States has historically been a haven for scientific inquiry and technological innovation, and this environment of scientific openness, coupled with a commitment of public and private resources, has made this country the reigning leader in the fields of biomedicine and biotechnology; and

Whereas, California's biomedical industry constitutes a significant portion of the state's economy, employing over 225,000 Californians in over 2,500 companies, investing more than \$2.1 billion in research, and creating \$12.8 billion in wages and salaries worldwide as well as revenues of nearly \$7.8 billion; and

Whereas, The biomedical industry would be considerably harmed by a prohibition of stem cell research and therapeutic cloning; and

Whereas, Proposed federal legislation that imposes barriers to this research prioritizes the religious values of a national minority ahead of the public health interests of Californians and all Americans, criminalizes the legitimate pursuit of effective medical therapy, and prevents physicians from fulfilling their moral and professional obligation to offer patients the best treatment available: Now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California memorializes the President and Congress of the United States to reject legislation that inappropriately impedes the progress of medical science by impeding stem cell and therapeutic cloning research, and denies Americans legal access to effective medical therapies; and be it further

Resolved, That the Legislature memorializes the President and Congress of the United States to enact legislation that would do all of the following:

(1) Impose a ban on reproductive cloning.

(2) Permit research involving therapeutic cloning, including the derivation of or use of stem cells from any source.

(3) Establish a process to facilitate the donation of material containing stem cells to researchers and ensure this material is donated by informed participants who provide written consent.

(4) Establish guidelines to oversee stem cell research conducted in the United States to ensure that this research is safe and is conducted within appropriate medical, ethical, and moral parameters; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Senate Committee on Rules, the Speaker of the Assembly, the Chair of the Senate Committee on Health and Human Services, and the Chair of the Assembly Committee on Health, and to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

POM-40. A joint resolution adopted by the Senate of the State of California relative to Trade with Cuba; to the Committee on Foreign Relations.

SENATE JOINT RESOLUTION NO. 39

Whereas, The relationship between the United States and Cuba has long been marked by tension and confrontation; and

Whereas, Further heightening this hostility is the 40-year-old United States trade embargo against the island nation, which remains the longest-standing embargo in modern history; and

Whereas, Cuba imports nearly a billion dollars' worth of food every year, including approximately 1,100,000 tons of wheat, 420,000 tons of rice, 37,000 tons of poultry, and 60,000 tons of dairy products; and

Whereas, These amounts are expected to grow significantly in coming years as Cuba slowly recovers from the severe economic recession it has endured following the withdrawal of subsidies from the former Soviet Union in the last decade; and

Whereas, California is the top agricultural producer and exporter in the Nation, a position it has held for 50 years, with an enormous variety of crops and great growing conditions; and

Whereas, California's production values are more than \$26 billion annually; and

Whereas, California is, therefore, ideally positioned to benefit from the market opportunities that free trade with Cuba would provide; and

Whereas, Rather than depriving Cuba of agricultural products, the United States embargo succeeds only in driving sales to competitors in other countries that have no such restrictions; and

Whereas, In recent years, Cuba has developed important pharmaceutical products, namely, a new meningitis-B vaccine that has virtually eliminated the disease in Cuba; and

Whereas, These products have the potential to protect Americans against diseases that continue to threaten large populations around the world; and

Whereas, Cuba's potential oil reserves have attracted the interest of numerous other countries that have been helping Cuba develop its existing wells and search for new reserves, and Cuba's oil output has increased more than 400 percent over the last decade; and

Whereas, The United States' trade, financial, and travel restrictions against Cuba hinder California's exports of agricultural and food products and our ability to import critical energy products, the treatment of illnesses experienced by Californians, and the right of Californians to travel freely: Now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California hereby respectfully urges the President and Congress of the United States to consider the removal of trade, financial, and travel restrictions relating to Cuba; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

POM-41. A joint resolution adopted by the Senate of the State of California relative to international investment agreements; to the Committee on Finance.

SENATE JOINT RESOLUTION NO. 40

Whereas, The United States government, through the United States Trade Representative, is negotiating to create or interpret investment agreements under the proposed Free Trade Area of the Americas (FTAA), bilateral agreements such as the United States-Chile agreement, the investment chapter of the North American Free Trade

Agreement (NAFTA), and potentially under the World Trade Organization (WTO); and

Whereas, Investment agreements affect state and local powers, including, but not limited to, zoning, protection of groundwater and other natural resources, corporate ownership of land and casinos, law enforcement by courts, public services, and sovereign immunity; and

Whereas, Investment rules under these agreements deviate from United States legal precedents on takings law and deference to legislative determinations on protecting the public interest; and

Whereas, Investment rules do not safeguard any category of law from investor complaints, including, but not limited to, laws, passed in the interest of protecting human or animal health, environmental resources, humans rights, and labor rights; and

Whereas, Foreign investors have used the provisions of NAFTA's investment chapter to challenge core powers of state and local government, including, but not limited to, regulatory power to protect groundwater in California; the power of civil juries to use punitive damages to deter corporate fraud in Mississippi; the ability of states to invoke sovereign immunity in Massachusetts; and a decision by local government to deny a zoning permit for construction of a hazardous waste dump in Guadalupe, Mexico; and

Whereas, Serious concerns about international investment agreements have been expressed by national government associations, including the National Conference of State Legislatures, which urged federal trade negotiators not to commit the United States to further investor-to-state dispute provisions such as those pending under NAFTA; the National League of Cities, which has expressed concern that expansion of investment rules could undermine the successful effort by state and local governments to defeat legislation to expand compensation for takings in the 104th Congress; and the National Association of Attorneys General, which has encouraged Congress to ensure that foreign investors receive no greater rights to financial compensation than those afforded our citizens in any new international trade agreements: Now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and Congress of the United States that the Congress and the United States Trade Representative should preserve the traditional powers of state and local governments by requiring that negotiators of international investment agreements do all of the following:

(a) Either carve out state and local governments from the scope of future investment agreements or exclude investor-to-state disputes from investment agreements.

(b) Ensure that international investment rules do not give greater rights to foreign investors than United States investors enjoy under the United States Constitution.

(c) Ensure that international investment rules do not undermine traditional police powers of state and local governments to protect public health, conserve environmental resources, and regulate fair competition.

(d) Ensure that all proceedings are open to the public and that all submissions, findings, and decisions are promptly made public, consistent with the need to protect classified information, and that amicus briefs will be accepted and considered by investment tribunals.

(e) Provide that an investors' home government must consent to the investor's claim against its host government, if investor-to-state disputes are retained; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the United States Trade Representative, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

POM-42. A joint resolution adopted by the Senate of the State of California relative to permanent resident alien airport security screeners; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 41

Whereas, On November 19, 2002, all airport security screeners become federal employees and must become United States citizens or lose their jobs; and

Whereas, Almost 80 percent of the current security screeners at the San Francisco International Airport are noncitizens; and

Whereas, Many of these employees are well trained and have years of experience as airport security screeners; and

Whereas, San Mateo and San Francisco Counties are already reeling from the economic recession and termination of qualified airport security screeners would cause further disruption to the local economy; and

Whereas, On December 14, 2001, and December 17, 2001, respectively, S. 1829 and H.R. 3505, two identical measures both titled the Airport Security Personnel Protection Act, were introduced in the United States Senate and the United States House of Representatives; and

Whereas, These measures provide for transitional employment for qualified lawful permanent resident alien airport security screeners until their naturalization processes are completed on an expedited basis as required by the measures: Now therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California hereby urges the Congress of the United States to enact either S. 1829 or H.R. 3505, or both, without the provisions that provide for an expedited naturalization process, as the Airport Security Personnel Protection Act; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Speaker of the House of Representatives, and to each Senator and Representative from California in the United States Congress.

POM-43. A joint resolution adopted by the Senate of the State of California relative to child care and development block grant; to the Committee on Health, Education, Labor, and Pensions.

SENATE JOINT RESOLUTION NO. 42

Whereas, The United States Congress enacted the Child Care and Development Block Grant Act of 1990, now known as the Child Care and Development Block Grant (CCDBG), pursuant to the Omnibus Budget Reconciliation Act of 1990 (P.L. 101-508), to provide federal funding for child care subsidies for low-income families and for initiatives to improve the quality of child care; and

Whereas, Congress set up the block grant in its current form in 1996 when it passed the Personal Responsibility and Work Opportunity Reconciliation Act (P.L. 104-193), often referred to as "welfare reform," and authorized federal funding for the CCDBG only through fiscal year 2002; and

Whereas, Congress will be considering this year a reauthorization of funding for the CCDBG; and

Whereas, Making more quality child care available will help support a vibrant econ-

omy, allow families to find and keep jobs, and prepare the workforce of the future; and

Whereas, Studies repeatedly have shown that good quality child care, which provides a loving, safe, and stable environment, helps children enter school ready to succeed, improve their skills, and stay safe while their parents work; and

Whereas, The positive impact of good quality child care is even greater for low-income children, yet in many communities, families cannot find adequate and affordable care; and

Whereas, Child care is unaffordable for many families, and many low-income parents who are unable to obtain help paying for child care are forced to make impossible choices, including whether to pay rent, food or child care or whether to choose less expensive, but potentially detrimental, care for their children, and, for some parents, having no choice but to return to welfare; and

Whereas, The CCDBG is the primary source of support for families who cannot afford the quality child care that is critical to their ability to find and keep a job and to prepare their children to succeed in school; and

Whereas, Through the CCDBG, each state, including California, receives both "mandatory" funds, which are automatically available each year although states must contribute a match to receive these funds, and "discretionary" funds, which are available without a match but must be appropriated by Congress each year; and

Whereas, The reauthorization of the CCDBG offers an opportunity to continue state child care assistance efforts and to increase both mandatory funding for the next five years and discretionary funding for fiscal year 2003: Now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California memorializes the United States Congress to approve legislation that increases and reauthorizes funding for the Child Care and Development Block Grant; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the Majority Leader of the Senate, and each Senator and Representative from California in the Congress of the United States.

POM-44. A joint resolution adopted by the Senate of the State of California relative to California fire service terrorism preparedness; to the Committee on Appropriations.

SENATE JOINT RESOLUTION NO. 48

Whereas, California has experienced numerous large-scale disasters including fires, earthquakes, floods, and landslides, to which the California Fire Service has responded and mitigated further destruction in their mission as first responders; and

Whereas, Following the events of September 11, 2001, the threat of terrorism adds critical new dimensions to the preparedness for first responders responsible for the rescue and safety of California citizens; and

Whereas, The California Metropolitan Fire Chiefs have compiled a comprehensive inventory, totaling \$200,000,000, in training and equipment needs necessary to elevate the capabilities of the state's Fire Service to an appropriate level in order to meet current requirements for readiness, including the bolstering of fire department resources and training throughout the state; and

Whereas, It is imperative that all State-wide Fire Service first responders have available to them personal protection equipment in the event their duties require exposure to

incidents involving nuclear, biological, or chemical devices designed as tools of terrorism or weapons of mass destruction; and

Whereas, It is critical that all Statewide Fire Service first responders receive training that is specially designed to adequately prepare them for weapons of mass destruction events; Now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California requests the President and Congress of the United States to make sufficient funds available to California to support the state's Fire Service first responder preparedness needs; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to Senate Majority Leader Tom Daschle, to Senate Minority Leader Trent Lott, to House Speaker J. Dennis Hastert, to House Minority Leader Richard Gephardt, and to each Senator and Representative from California in the Congress of the United States.

POM-45. A joint resolution adopted by the Senate of the State of California relative to human exposure to environmental chemicals; to the Committee on Health, Education, Labor, and Pensions.

SENATE JOINT RESOLUTION NO. 49

Whereas, In 1999, the federal Centers for Disease Control and Prevention (CDC) issued its first National Report on Human Exposure to Environmental Chemicals, a new publication that provides an ongoing assessment of the United States population's exposure to environmental chemicals using biomonitoring; and

Whereas, "Environmental chemical" means a chemical compound or chemical element present in air, water, soil, dust, food, or other environmental media, and "biomonitoring" is the assessment of human exposure to chemicals by measuring the chemicals or their metabolites in human specimens, such as blood or urine collected in the representative survey known as the National Health and Nutrition Examination Survey (NHANES); and

Whereas, It is important to know which chemicals are stored in the body because they act as a "reservoir" for continued exposure, with potentially serious health consequences, since a chemical that accumulates in the body over time can increase the potential for disease to occur; and

Whereas, The first edition of the National Report on Human Exposure to Environmental Chemicals presents levels of 27 environmental chemicals measured in the United States population, including metals such as lead, mercury, uranium, cotinine, a marker of tobacco smoke exposure, and organophosphate pesticide metabolites, as well as phthalates; and

Whereas, The National Report on Human Exposure to Environmental Chemicals determines the toxic substances to which Americans are exposed, as well as populations at risk, volumes of toxic substances used, and exposure trends; and

Whereas, The National Report on Human Exposure to Environmental Chemicals determines whether interventions to reduce exposure have been effective; and

Whereas, In collaboration with other federal agencies, the National Report on Human Exposure to Environmental Chemicals provides additional information on interpreting lab measurements, including potential sources of exposure and human toxicity; and

Whereas, The next National Report on Human Exposure to Environmental Chemicals is due to be issued by December 2002 and will analyze 75 chemicals; and

Whereas, The National Report on Human Exposure to Environmental Chemicals' findings, organized by state and demographics, were to be made available in January of 2002; and

Whereas, California is a world leader in clean air and water standards, often improving upon federal standards; and

Whereas, The California survey within the National Report on Human Exposure to Environmental Chemicals constitutes a valid sample in its own right; and

Whereas, The National Report on Human Exposure to Environmental Chemicals' specific findings for the State of California will help the State Department of Health Services, the Legislature, and the Governor's office to address California's environmental health needs; and

Whereas, The State Department of Health Services is responsible for developing a plan to establish an environmental health tracking system by 2003, a project that requires collation of all available data sets; and

Whereas, The National Report on Human Exposure to Environmental Chemicals will inform the planning process as California builds capacity at state biomonitoring facilities; and

Whereas, The State Department of Health Services needs to make a budgetary commitment to addition biomonitoring to augment CDC findings; and

Whereas, The California public has the right to information regarding regional exposures to particular chemicals; and

Whereas, California findings on particular chemicals will serve as an information base for populations concerned about decreasing chemical risks in their communities: Now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President of the United States, the United States Secretary of Health and Human Services, the Director of the Centers for Disease Control and Prevention, and the California Congressional delegation to seek the immediate release to the State Department of Health Services, and thereby to the California public, of the California-specific findings from the 1999 CDC National Report on Human Exposure to Environmental Chemicals; and be it further

Resolved, That the Legislature of the State of California respectfully memorializes the Director of the Centers for Disease Control and Prevention to release to the State Department of Health Services all California-specific findings from the National Report on Human Exposure to Environmental Chemicals that is due to be issued by December 2002, at the time that report is issued; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the United States Secretary of Health and Human Services, the Director of the Centers for Disease Control and Prevention, and to each Senator and Representative from California in the Congress of the United States.

POM-46. A joint resolution adopted by the Senate of the State of California relative to the bicentennial anniversary of the United States Military Academy at West Point; to the Committee on Armed Services.

SENATE JOINT RESOLUTION NO. 50

Whereas, This year the United States Military Academy at West Point celebrates 200 years of providing leaders of character for our Army and a lifetime of selfless service to the nation; and

Whereas, On March 16, 1802, President Thomas Jefferson signed into law a bill of

the United States Congress authorizing the establishment of "a military academy to be located at West Point in the State of New York"; and

Whereas, West Point was originally created as an academic institution devoted to the arts and sciences of warfare, and later emphasizing engineering to serve the needs of the nation and to eliminate the country's reliance on foreign engineers and artilleryists; and

Whereas, West Point graduates were responsible for the construction of many of the nation's initial railway lines, bridges, harbors, and roads that were the vital infrastructure of our great nation; and

Whereas, The list of graduates representing the Long Gray Line is distinguished and includes two American Presidents, Ulysses S. Grant and Dwight D. Eisenhower; and

Whereas, West Point graduates have led our nation's Armed Forces from the birth of our nation to the present, many of them giving their lives as the ultimate sacrifice to preserve our freedom; and

Whereas, In addition to Ulysses S. Grant, who led the Union Army in the Civil War, General Robert E. Lee, leader of Confederate troops, graduated from the United States Military Academy; and

Whereas, Other graduates with notable military careers include Generals Philip Sheridan, William T. Sherman, George S. Patton, Douglas MacArthur, and H. Norman Schwarzkopf; and

Whereas, West Point graduates have distinguished themselves in countless ways, from Olympic glory to receiving the Heisman Trophy, from receiving scores of Rhodes Scholarships to serving as some of the nation's pioneering astronauts; and

Whereas, The academy is preparing for its third century of service to our nation, a future in which fighting and winning our nation's wars remains the Army's primary focus; and

Whereas, The academy must also prepare officers for peacekeeping duties as part of an every complex world; and

Whereas, The academy remains today an energetic, vibrant institution that attracts some of the nation's best and brightest young men and women who, in the next 200 years of service to this nation, will face challenges different from those that have gone before them to make up the storied Long Gray Line; and

Whereas, The academy continues its lasting commitment to its motto of duty, honor, and country: Now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California recognizes that the United States Military Academy at West Point is a living testament to the accomplishments of the United States throughout its history; and be it further

Resolved, That the legislature of the State of California honors the United States Military Academy at West Point and its graduates as they move forward into the academy's third century of service to the nation; and be it further

Resolved, That the Legislature of the State of California respectfully requests the United States Congress to recognize the 200th anniversary of the United States Military Academy; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

POM-47. A joint resolution adopted by the Senate of the State of California relative to

the California wild heritage act of 2002; to the Committee on Energy and Natural Resources.

SENATE JOINT RESOLUTION NO. 52

Whereas, California's public lands contain an invaluable and irreplaceable diversity of ecosystems; and

Whereas, Increasing population growth and expansion of urban and suburban developments threaten the integrity of many of these ecosystems; and

Whereas, These ecosystems provide critical habitat to native flora and fauna, 293 of which are listed as rare, threatened, or endangered; and

Whereas, Protection and maintenance of these wildlands preserves the health of watersheds essential to safe and good quality water for agricultural uses and human consumption; and

Whereas, Many of California's wild lands include sites, including flora and fauna sacred and spiritually valuable to Native American tribes; and

Whereas, The deserts, coasts, riparian areas, mountains, valleys, and chaparral of California have shaped the history and the cultural heritage of California; and

Whereas, Protection and maintenance of California's wild and scenic rivers is an essential component of the survival and recovery of threatened salmon and other fish species; and

Whereas, Conservation and restoration of California's natural resources also benefits our recreation and tourism industries; and

Whereas, Senator Barbara Boxer has authored the California Wild Heritage Act of 2002 to protect 81 areas, totaling 2.5 million publicly held acres of the State scattered throughout 36 counties; and

Whereas, The California Wild Heritage Act of 2002 designates 22 wild and scenic rivers totaling 440 miles of riparian systems; and

Whereas, The California Wild Heritage Act of 2002 protects the ancient Bristlecone Pine Forest where the oldest living trees have flourished in the harsh environment of the White-Inyo Mountain range for over 4,000 years; and

Whereas, The California Wild Heritage Act of 2002 provides enhanced protections critical for the continued conservation of unique and fragile areas of coastal, chaparral, pinon-juniper, mountain, forest and desert habitat currently classified as National Forest, National Park, or Bureau of Land Management Lands; and

Whereas, The California Wild Heritage Act of 2002 designates Cache Creek and the East Fork of the Carson River as "Wild and Scenic Rivers Study Areas"; and

Whereas, The California Wild Heritage Act of 2002 establishes the "Sacramento River National Conservation Area"; and

Whereas, The California Wild Heritage Act of 2002 balances the needs of the military, agricultural, law enforcement, firefighting, and recreational use communities with the intrinsic environmental value of the wilderness areas; Now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, that the Legislature respectfully memorializes the President and the United States Congress to enact S. 2535, the California Wild Heritage Act of 2002, as introduced by Senator Barbara Boxer, and to be introduced by Representatives Hilda Solis and Mike Thompson; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Speaker of the House of Representatives, the Chairpersons of the House and Senate Taxation Committees, and to each Senator and Representative from California in the Congress of the United States.

POM-48. A joint resolution adopted by the Senate of the State of California relative to

the United Nation's Population Fund; to the Committee on Appropriations.

SENATE JOINT RESOLUTION NO. 51

Whereas, The Bush Administration has determined that the \$34 million appropriated by Congress shall not be provided at this time to the United Nations Population Fund (UNFPA) due to the Kemp-Kasten Amendment, which provides that none of the funds made available under the Foreign Assistance and Related Programs Appropriations Act of 1985 "may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization"; and

Whereas, The UNFPA strives to establish universal access to reproductive health, promote awareness of population and human development issues, and support population and human development; and

Whereas, The UNFPA provides 142 countries with health services during pregnancy and birth, voluntary family planning, teen-pregnancy prevention, and services to protect women and families from HIV/AIDS and other sexually transmitted infections; and

Whereas, The UNFPA addresses the issues of population, family planning, women's empowerment, and HIV intervention; and

Whereas, These issues are paramount to the United Nations' goals of reducing poverty, increasing global stability and prosperity, and creating a sustainable population; and

Whereas, The UNFPA programs not only provide benefits to women, but also their families, their communities, and their nations; and

Whereas, The UNFPA is committed to a voluntary, human rights-based approach to reproductive health and family planning stipulated by the 1994 Cairo International Conference on Population and Development; and

Whereas, A fact-finding mission to China conducted by the United States found no evidence that the UNFPA had supported or participated in programs involving coercive abortion or involuntary sterilization in China; and

Whereas, Past funds to the UNFPA from the United States were restricted so that they did not fund programs in China; and

Whereas, Congress had already approved sending \$34 million to the UNFPA in 2002; and

Whereas, The United States funding, estimated by the UNFPA, would be enough to prevent 2 million unwanted pregnancies, nearly 800,000 induced abortions, 4,700 maternal deaths, nearly 60,000 cases of serious maternal illness, and over 77,000 infant and child deaths; Now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California memorializes the President and Congress of the United States to reinstate the \$34 million in funding for the United Nations Population Fund; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. COCHRAN, without amendment:
S. Res. 47. An original resolution authorizing expenditures by the Committee on Agriculture, Nutrition, and Forestry.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

Mr. LUGAR. Mr. President, for the Committee on Foreign Relations 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.

*Foreign Service nominations beginning Russell J. Nicely and ending George Adams Moore, Jr., which nominations were received by the Senate and appeared in the Congressional Record on January 15, 2003.

*Foreign Service nominations beginning Nicholas R. Kuckova and ending Richard W. Johnston, which nominations were received by the Senate and appeared in the Congressional Record on January 15, 2003.

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

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. FEINGOLD:

S. 301. A bill to amend the Internal Revenue Code of 1986 to provide that reimbursements for costs of using passenger automobiles for charitable and other organizations are excluded from gross income, and for other purposes; to the Committee on Finance.

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

S. 302. A bill to revise the boundaries of the Golden Gate National Recreation Area in the State of California, to restore and 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. HATCH (for himself, Mrs. FEINSTEIN, Mr. SPECTER, Mr. KENNEDY, Mr. HARKIN, and Mr. MILLER):

S. 303. A bill to prohibit human cloning and protect stem cell research; to the Committee on the Judiciary.

By Mr. DODD (for himself, Mr. KENNEDY, Mr. INOUE, Mr. AKAKA, Mr. CORZINE, Mrs. MURRAY, Ms. MIKULSKI, Mr. KERRY, Mrs. CLINTON, and Mr. LAUTENBERG):

S. 304. A bill to amend the Family and Medical Leave Act of 1993 to expand the scope of the Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY (for himself and Mr. HATCH):

S. 305. A bill to amend the Internal Revenue Code of 1986 to include in the criteria for selecting any project for the low-income housing credit whether such project has high-speed Internet infrastructure; to the Committee on Finance.

By Mr. SMITH (for himself, Mr. REID, Mr. WYDEN, Mr. ENSIGN, Mrs. CLINTON, Mr. SCHUMER, Mrs. BOXER, Mrs.