

## 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-49. A resolution adopted by the City of Traverse City, Michigan relative to supporting men and women of armed forces; to the Committee on Armed Services.

## RESOLUTION

Whereas, the United States citizens, property, and armed forces personnel have been attacked by terrorists on numerous occasions including the U.S.S. Cole in Yemen; American embassies in East Africa; the Khobar Towers in Saudi Arabia; the World Trade Center in New York; the Pentagon in Washington, D.C.; and

Whereas, in the past, present and future, thousands of men and women in the Armed Forces of the United States, including many from the Traverse City area, have been and continue to be engaged in defending against terrorist attacks worldwide; and

Whereas, these men and women have taken an oath to defend the Constitution of the United States against all enemies, foreign and domestic; and

Whereas, these men and women have demonstrated their dedication to defining our freedoms with their personal sacrifices, in some cases the ultimate sacrifice of their lives, in order for us to enjoy the freedoms so often taken for granted; and

Whereas, especially in this holiday season, these men and women serve in faraway and lonely places, separated from homes and families, without the comforts and joys of this season of peace; and

Whereas, through this resolution, the City Commission will be extending due respect to all our men and women in the Armed Forces of the United States and a greater sense of national gratitude to those who are preserving our liberties: Now, therefore, be it

*Resolved*, That the City Commission of the City of Traverse City expresses its support and appreciation to the men and women of the Armed Forces of the United States in the War on Terrorism in this holiday season; and further, be it

*Resolved*, That copies of this resolution be transmitted to the Office of the President of the United States, the President of the United States Senate, and the Speaker of the United States House of Representatives.

POM-50. A resolution adopted by the House of the Legislature of the State of Michigan relative to expanding Medicare to include a prescription pharmaceutical plan for low-income seniors; to the Committee on Finance.

## HOUSE RESOLUTION NO. 597

Whereas, As the costs of medicine rise and as more seniors face great difficulties in paying for prescription medications, there is a genuine need to expand the coverages provided under Medicare. For an increasing number of our older citizens, the choice between spending limited financial resources on food or medicine creates a strain that can in itself be damaging to a person's health and well-being; and

Whereas, Beyond the financial considerations of proposals to offer a prescription drug plan under Medicare, implementing a program will elevate the level of health care for many people. Clearly, this will benefit not only the seniors who participate, but their families as well; and

Whereas, It is significant to note that, even as our country faces the expensive task of fighting terrorism and even as we battle recession, the issue of low-income seniors needing prescription drug coverage remains

critical. For those who face the painful realities of being unable to pay for vitally needed medication, this is a crisis of its own: Now, therefore, be it

*Resolved by the House of Representatives*, That we memorialize the Congress of the United States to expand Medicare to include a prescription pharmaceutical plan for low-income seniors; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-51. A resolution adopted by the House of the Legislature of the State of Michigan relative to allow taxpayers to deduct fully the cost of their health insurance premiums; to the Committee on Finance.

## HOUSE RESOLUTION NO. 601

Whereas, A key factor in a person's overall quality of life is access to health care. Having health insurance contributes to better health for individuals and families. On a larger scale, people with health insurance benefit society because they are far less likely to need public resources when health problems arise; and

Whereas, Through our state and federal tax policies, our nation has made decisions on what types of behavior benefit our society. There are many examples of this. Our tax laws encourage people to save for retirement, invest in business enterprises, make donations for charitable purposes, and own homes. A great number of specific expenses are deductible, although some require different thresholds to qualify; and

Whereas, Given the clear public benefits to our society that derive from those who purchase health insurance, it would be a sound public policy to take every step to encourage the purchase of health insurance. It seems not only eminently fair, but also in the best interests of the country to amend federal tax laws to provide that an individual's premium costs for health insurance are fully deductible. By taking this step to encourage people to secure insurance, we will be addressing a fundamental need, reducing some public costs, and helping our citizens help themselves and their families: Now, therefore, be it

*Resolved by the House of Representatives*, That we memorialize Congress to enact legislation to provide that taxpayers can deduct fully the cost of their health insurance premiums; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-52. A resolution adopted by the House of the Legislature of the State of Michigan relative to removing "use it or lose it" restrictions on flexible spending accounts to permit participants to roll over unused funds to the next year, to the Committee on Finance.

## HOUSE RESOLUTION NO. 602

Whereas, Flexible spending accounts have proven to be effective tools for helping people cope with necessary expenses, such as dependent care and medical costs. Like many aspects of tax policies that encourage behavior that ultimately benefits both individuals and our entire society, flexible spending accounts reflect sensitivity to the challenges people face in providing for themselves and their families; and

Whereas, Under the current provisions of the laws governing taxes, flexible spending

accounts are subject to tight restrictions. While most of the provisions are very productive in ensuring fairness, one of the policies in place is proving to be counter-productive. Currently, a participant with a flexible spending account must use all the money in the account by the end of each year or forfeit the remaining funds. This is a serious disincentive to participation. This requirement not only presumes a person can predict exactly how much money will be spent on the covered activity in a year, but it also ignores the fact that the money set aside for the intended purposes still belongs to the participant; and

Whereas, It would be far more appropriate to permit a participant to transfer unused funds in a flexible spending account to the next year rather than losing the unused money; Now, therefore, be it

*Resolved by the House of Representatives*, That we memorialize the Congress of the United States to enact legislation to remove the "use it or lose it" restrictions on flexible spending accounts to permit participants to roll over unused funds to the next year; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-53. A resolution adopted by the House of the Legislature of the State of Michigan relative to providing more flexibility for participants in medical care spending accounts; to the Committee on Finance.

## HOUSE RESOLUTION NO. 603

Whereas, Medical care spending accounts are an effective tool for people to use to prepare for medical expenses and minimize overall costs. These flexible spending accounts help individuals and families dealing with the increasing costs of health care; and

Whereas, All measures that encourage people to plan for medical expenses also bring benefits through the increased number of people seeking and paying for medical services without relying on governmental programs. For participants, medical care spending accounts can bring significant savings, especially since major health care expenses are often unforeseen; and

Whereas, While medical care spending accounts have been helpful to many American families, there is much more that could be done to increase the rate of participation. The nature of medical expenses argues strongly for increased flexibility to meet unforeseen health costs. With the ever-increasing cost of medical services, every effort should be made to increase participation in medical care spending accounts by removing the barriers and restrictions that keep many people from taking advantage of this idea Now, therefore, be it

*Resolved by the House of Representatives*, That we memorialize the Congress of the United States to enact legislation to provide more flexibility for participants in medical care spending accounts; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-54. A resolution adopted by the City of Miami, Florida relative to the United Nations convention on the elimination of all forms of discrimination against women; to the Committee on Foreign Relations.

## RESOLUTION NO. 02-803

*Be it resolved by the Commission of the City of Miami, Florida:*

Section 1. The Miami City Commission's support of the United Nations' Convention on the Elimination of all Forms of Discrimination Against Women as stated in Resolution No. 00-917, adopted October 26, 2000, attached and incorporated, is restated.

Section 2. The United States Congress is urged to immediately ratify said Convention.

Section 3. The City Clerk is directed to transmit a copy of this Resolution to President George W. Bush, Vice-President Richard B. Cheney, Speaker of the House J. Dennis Hastert, Senators Bill Nelson and Bob Graham, all the members of the United States House of Representatives for Miami-Dade County, and the United States Senate Foreign Relations Committee.

Section 4. This Resolution shall become effective immediately upon its adoption and signature of the Mayor.

POM-55. A resolution adopted by the City of Ann Arbor, Michigan relative to opposition to war in Iraq; to the Committee on Foreign Relations.

#### RESOLUTION

Whereas, A United States war against Iraq could have significant impact on the Citizens of Ann Arbor, in terms of the potential loss of life and disability among our members of the armed forces, as well as an economic impact as our local tax dollars are diverted to the costs of war, not returned to our State and our community to be spent on needed social, health and education services;

Whereas, The United States has declared this decade, 2000-2010 as the "International Decade for a Culture of Peace and Non-Violence for the Children of the World" (UN Declaration 53/25, November 10, 1998), urging all people and all levels of government to seek non-violent approaches to conflict resolution and wider education about international law and alternative to war;

Whereas, A unilateral preemptive war would be a radical change in the principles of international law and custom that the United States has always followed;

Whereas, All war brings destruction and loss of lives, both of combatants and civilians, to all involved countries;

Whereas, Our U.S. Congressional Delegation, Senators Carl Levin and Debbie Stabenow and House Representatives Lynn Rivers and John Dingell, voted against unilateral war by the United States against Iraq and have urged the United States to cooperate with the United Nations in any decision on military action against Iraq, and would be encouraged by our support; and

Whereas, The Ann Arbor City Council cannot speak for all residents, but has been asked by many residents to speak out on this momentous issue facing our nation; therefore, be it

*Resolved*, That the Ann Arbor City Council joins with the communities of Washington, D.C.; Seattle, Washington; Albuquerque, New Mexico; Takoma Park, Maryland; Arcata, California; Santa Barbara, California; Santa Cruz, California; Ithaca, New York; Santa Fee, New Mexico; Danby, New York; Sebastopol, California; New Haven, Connecticut; Oakland, California; Carrboro, North Carolina; Haines Township, Pennsylvania; Madison, Wisconsin; Burlington, Vermont; and Detroit, Michigan; and with our U.S. Congressional Delegation, Senators Carl Levin and Debbie Stabenow and Representatives Lynn Rivers and John Dingell, in opposing a war with the country of Iraq, particularly prior to taking all available measures to cooperate with the United Nations in removing all weapons of mass destruction.

POM-56. A resolution adopted by the City of Palm Bay, Florida relative to completely

banning human cloning; to the Committee on the Judiciary.

#### RESOLUTION NO. 2003-06

Whereas, human cloning is a manufacturing process in which a human being is created in a laboratory; human cloning indicates a utilitarian view in which a human being is created merely for usefulness with no respect for the dignity of that human being; and human cloning creates a human being who is the twin of a parent, has no other biological parent, and is the child of the grandparents thereby causing serious moral, social, and legal issues, and

Whereas, current human cloning attempts pose a substantial risk of producing human beings with unpredictable but potentially devastating health problems, and

Whereas, such human cloning attempts are grossly irresponsible and unethical, and

Whereas, on July 31, 2001, the United States House of Representatives passed the Human Cloning Prohibition Act of 2001, a complete human cloning ban; and the President of the United States has called for a complete human cloning ban; and

Whereas, the United States Senate failed to act on the bill passed by the United States House of Representatives before the end of the 107th Congress, and

Whereas, a complete human cloning ban is achieved by the passage of the Human Cloning Prohibition Act of 2003 as introduced in the United States House of Representatives by Congressman Dave Weldon, M.D. (H.R. 234) and is not achieved by the passage of other human cloning prohibition acts that allow the creation of human embryos by cloning so long as they are killed for research: Now, therefore, be it

*Resolved by the City Council of the City of Palm Bay, Brevard County, Florida, as follows:*

Section 1. The above recitals are true and correct and by this reference are hereby incorporated into and made an integral part of this resolution.

Section 2. The City Council of the City of Palm Bay strongly urges the United States House of Representatives to pass the Human Cloning Prohibition Act of 2003 introduced by Congressman Dave Weldon, M.D.; that the United States Senate is strongly urged to pass a complete human cloning ban; that the Florida House and Senate are urged to provide identical protection for life in this state, and that the President of the United States is strongly urged to sign a complete human cloning ban.

Section 3. This resolution shall take effect immediately upon the enactment date.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WARNER, without amendment:

S. Res. 57. An original resolution authorizing expenditures by the Committee on Armed Services.

#### EXECUTIVE REPORT OF COMMITTEE

The following executive report of committee was submitted:

By Mr. HATCH for the Committee on the Judiciary.

Jeffrey S. Sutton, of Ohio, to be United States Circuit Judge for the Sixth Circuit.

(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. DASCHLE (for himself, Mr. LUGAR, Mr. HAGEL, Mr. DORGAN, Mr. JOHNSON, Mr. VOINOVICH, Mr. HARKIN, Mr. BOND, Mr. NELSON of Nebraska, Mr. GRASSLEY, Mr. DURBIN, Mr. TALENT, Mr. DAYTON, Mr. FITZGERALD, Mr. COLEMAN, and Mr. CONRAD):

S. 385. A bill to amend the Clean Air Act to eliminate methyl tertiary butyl ether from the United States fuel supply, to increase production and use of renewable fuel, and to increase the Nation's energy independence, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CORZINE (for himself, Mr. FITZGERALD, Mr. SARBANES, and Mr. AKAKA):

S. 386. A bill to establish a grant program to enhance the financial and retirement literacy of mid-life and older Americans and to reduce financial abuse and fraud among such Americans, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. LINCOLN (for herself, Mr. REID, Ms. SNOWE, Mr. BREAUX, Mr. GRAHAM of Florida, Mr. BINGAMAN, Ms. LANDRIEU, Mrs. MURRAY, Ms. MIKULSKI, Mr. SARBANES, Mr. REED, Mr. KENNEDY, and Ms. COLLINS):

S. 387. A bill to amend title XVIII of the Social Security Act to extend the eligibility periods for geriatric graduate medical education, to permit the expansion of medical residency training programs in geriatric medicine, to provide for reimbursement of care coordination and assessment services provided under the medicare program, and for other purposes; to the Committee on Finance.

By Mr. ROBERTS (for himself, Mrs. HUTCHISON, Ms. COLLINS, and Mr. JEFFORDS):

S. 388. A bill to amend the Internal Revenue Code of 1986 to expand the dependent care tax credit, to accelerate the child tax credit, and to promote dependent care assistance programs; to the Committee on Finance.

By Mr. ROBERTS (for himself, Ms. COLLINS, and Mr. JEFFORDS):

S. 389. A bill to increase the supply of quality child care; to the Committee on Finance.

By Mr. LEVIN:

S. 390. A bill to amend title 18, United States Code, to provide retroactive effect to a sentencing safety valve provision; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. 391. A bill to enhance ecosystem protection and the range of outdoor opportunities protected by statute in the Skykomish River valley of the State of Washington by designating certain lower-elevation Federal lands as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. REID (for himself, Mr. MCCAIN, Mr. AKAKA, Mr. ALLARD, Mr. ALLEN, Mr. BAUCUS, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Ms. CANTWELL, Mrs. CLINTON, Mr. CORZINE, Mr. DASCHLE, Mr. DAYTON, Mr. DORGAN, Mr. DURBIN, Mrs. FEINSTEIN, Mr. GRASSLEY, Mr. HAGEL, Mr. INOUE, Mr. JOHNSON, Ms. LANDRIEU, Mr. LEAHY, Mr. LEVIN, Mrs. LINCOLN, Mr. MILLER, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SARBANES, Mr. SMITH,