

therapists is a positive reform for the Medicare program and its beneficiaries.

The Medicare program should not impose arbitrary administrative barriers to patients who need physical therapy services, especially when States have an entirely different standard for access. I encourage my colleagues to support this Medicare modernization plan to ensure the best access to physical therapy for America's most vulnerable population—senior and disabled patients.

By Mr. CRAPO:

S. 494. A bill to amend the Internal Revenue Code of 1986 to include agricultural and animal waste sources as a renewable energy resource; to the Committee on Finance.

Mr. CRAPO. Mr. President, I rise to introduce legislation that will encourage the expansion of an often overlooked domestic energy resource that offers a source of revenue for our rural communities and an avenue for cleanup of agricultural waste.

It has been well-publicized that our country faces mounting uncertainty in meeting our energy demands. After years of getting little attention, we are now in a period where the development of domestic energy resources has reached a crucial point. I support our efforts to diversify our energy supply resources to ensure our nation's energy security, support our business and agricultural economies, and protect our individual consumers. This time of challenge also offers great opportunities. One of those is the opportunity to encourage a largely untapped resource to provide domestic energy, while also promoting the protection of the environment and rural development. I am speaking about energy derived from agricultural and animal waste sources.

Electricity from biomass and waste sources using modern technology is a renewable resource that can add to our domestic energy supply. The process uses manure and waste products that are heated and converted into biogas that is burned to generate electricity, which is sold into the power grid. This technology is widely accepted in Europe where over 600 systems are in operation today. In this country, the technology is gaining acceptance following numerous successful case studies. This process offers farmers an option for cleaning agricultural waste that is a known source of groundwater contamination and air pollution. The revenue generated from the sale of electricity provides a source of income to offset the cleanup costs, while providing important kilowatts to the power grid.

The bill I am introducing today would extend the 1.5 cent per kilowatt hour production tax credit that is currently available to wind, closed-loop biomass, and poultry waste by making it available to all agricultural and animal waste sources.

There have been other bills introduced that would extend the tax credit

to additional renewable sources such as solar energy. I encourage these efforts to broaden the definition of renewable sources.

The use of modern technology to generate electricity from waste should not be overlooked. The tax credit is an important incentive to encourage its wider use. I encourage my colleagues to join me in this important initiative. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 494

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. MODIFICATIONS TO CREDIT FOR ELECTRICITY PRODUCED FROM RENEWABLE RESOURCES AND EXTENSION TO WASTE ENERGY.**

(a) EXPANSION OF QUALIFIED ENERGY RESOURCES.—

(1) IN GENERAL.—Section 45(c)(1) of the Internal Revenue Code of 1986 (defining qualified energy resources) is amended by striking subparagraph (C) and inserting the following:

“(C) agricultural and animal waste sources.”.

(2) DEFINITIONS.—Section 45(c) of such Code (relating to definitions) is amended by adding at the end the following new paragraph:

“(5) AGRICULTURAL AND ANIMAL WASTE SOURCES.—The term ‘agricultural and animal waste sources’ means all waste heat, steam, and fuels produced from the conversion of agricultural and animal wastes, including by-products, packaging, and any materials associated with the processing, feeding, selling, transporting, and disposal of agricultural and animal products or wastes (such as wood shavings, straw, rice hulls, and other bedding material for the disposition of manure).”.

(b) EXTENSION AND MODIFICATION OF PLACED-IN-SERVICE RULES.—Section 45(c)(3) of the Internal Revenue Code of 1986 (defining qualified facility) is amended by striking subparagraph (C) and inserting the following:

“(C) AGRICULTURAL AND ANIMAL WASTE FACILITY.—In the case of a facility using agricultural and animal waste to produce electricity, the term ‘qualified facility’ means any facility of the taxpayer which is originally placed in service—

“(i) in the case of a facility using poultry waste, after December 31, 1999, and before January 1, 2007, and

“(ii) in the case of any other facility, after the date of the enactment of this subparagraph and before January 1, 2007.

“(D) COMBINED PRODUCTION FACILITIES INCLUDED.—For purposes of this paragraph, the term ‘qualified facility’ shall include a facility using agricultural and animal waste to produce electricity and other biobased products such as chemicals and fuels from renewable resources.

“(E) SPECIAL RULES.—In the case of a qualified facility described in subparagraph (C)—

“(i) the 10-year period referred to in subsection (a) shall be treated as beginning no earlier than the date of the enactment of this subparagraph, and

“(ii) subsection (b)(3) shall not apply to any such facility originally placed in service before January 1, 1997.”.

(c) CONFORMING AMENDMENTS.—

(1) The heading for section 45 of the Internal Revenue Code of 1986 is amended by inserting “AND WASTE ENERGY” after “RENEWABLE”.

(2) The item relating to section 45 in the table of sections subpart D of part IV of subchapter A of chapter 1 of such Code is amended by inserting “and waste energy” after “renewable”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to electricity produced after the date of the enactment of this Act.

**STATEMENTS ON SUBMITTED RESOLUTIONS**

**SENATE RESOLUTION 68—RECOGNIZING THE BICENTENNIAL OF OHIO'S FOUNDING**

Mr. VOINOVICH (for himself and Mr. DEWINE) submitted the following resolution; which was considered and agreed to:

S. RES. 68

Whereas Ohio residents will celebrate 2003 as the 200th anniversary of Ohio's founding;

Whereas Ohio was the 17th State to be admitted to the Union and was the first to be created from the Northwest Territory;

Whereas the name ‘Ohio’ is derived from the Iroquois word meaning ‘great river’, referring to the Ohio River which forms the southern and eastern boundaries;

Whereas Ohio was the site of battles of the American Indian Wars, French and Indian Wars, Revolutionary War, the War of 1812, and the Civil War;

Whereas in the nineteenth century, Ohio, a free State, was an important stop on the Underground Railroad as a destination for more than 100,000 individuals escaping slavery and seeking freedom;

Whereas Ohio, ‘The Mother of Presidents’, has given eight United States presidents to the Nation, including William Henry Harrison, Ulysses S. Grant, Rutherford B. Hayes, James A. Garfield, Benjamin Harrison, William McKinley, William H. Taft, and Warren G. Harding;

Whereas Ohio inventors, including Thomas Edison (incandescent light bulb), Orville and Wilbur Wright (first in flight), Henry Timken (roller bearings), Charles Kettering (automobile starter), Charles Goodyear (process of vulcanizing rubber), Garrett Morgan (traffic light), and Roy Plunkett (Teflon) created the basis for modern living as we know it;

Whereas Ohio, ‘The Birthplace of Aviation’, has been home to 24 astronauts, including John Glenn, Neil Armstrong, and Judith Resnick;

Whereas Ohio has a rich sports tradition and has produced many sports legends, including Annie Oakley, Jesse Owens, Cy Young, Jack Nicklaus, and Nancy Lopez;

Whereas Ohio has produced many distinguished writers, including Harriet Beecher Stowe, Paul Laurence Dunbar, Toni Morrison, and James Thurber;

Whereas the agriculture and agribusiness industry is and has long been the number one industry in Ohio, contributing \$73,000,000,000 annually to Ohio's economy and employing 1 in 6 Ohioans, and that industry's tens of thousands of Ohio farmers and 14,000,000 acres of Ohio farmland feed the people of the State, the Nation, and the world;

Whereas the enduring manufacturing economy of Ohio is responsible for ¼ of Ohio's Gross State Product, provides over one million well-paying jobs to Ohioans, exports \$26,000,000,000 in products to 196 countries, and provides over \$1,000,000,000 in tax revenues to local schools and governments;

Whereas Ohio is home to over 140 colleges and universities which have made significant

contributions to the intellectual life of the State and Nation, and continued investment in education is Ohio's promise to future economic development in the "knowledge economy" of the 21st century;

Whereas, from its inception, Ohio has been a prime destination for people from all corners of the world, and the rich cultural and ethnic heritage that has been interwoven into the spirit of the people of Ohio and that enriches Ohio's communities and the quality of life of its residents is both a tribute to, and representative of, the Nation's diversity;

Whereas Ohio will begin celebrations commemorating its bicentennial on March 1, 2003, in Chillicothe, the first capital of Ohio;

Whereas the bicentennial celebrations will include Inventing Flight in Dayton (celebrating the centennial of flight), Tall Ships on Lake Erie, Tall Stacks on the Ohio River, Red, White, and Bicentennial Boom in Columbus, and the Bicentennial Wagon Train across the State: Now, therefore, be it

*Resolved by the Senate, That the Senate—*

(1) recognizes the Bicentennial of Ohio's founding and its residents for their important contributions to the economic, social, and cultural development of the United States; and

(2) directs the Secretary of the Senate to transmit a copy of this resolution to the Governor of Ohio.

**SENATE RESOLUTION 69—DESIGNATING MARCH 3, 2003, AS "READ ACROSS AMERICA DAY"**

Ms. COLLINS (for herself, Mr. REED, and Mr. KENNEDY) submitted the following resolution; which was considered and agreed to:

S. RES. 69

Whereas reading is a basic requirement for quality education and professional success, and a source of pleasure throughout life;

Whereas Americans must be able to read if the Nation is to remain competitive in the global economy;

Whereas Congress, through the No Child Left Behind Act of 2001 (Public Law 107-110) and the new Reading First, Early Reading First, and Improving Literacy Through School Libraries programs, has placed great emphasis on reading intervention and additional resources for reading assistance; and

Whereas more than 40 national associations concerned about reading and education have joined with the National Education Association to use March 2, the anniversary of the birth of Theodor Geisel, also known as Dr. Seuss, to celebrate reading: Now, therefore, be it

*Resolved, That the Senate—*

(1) designates March 3, 2003, as "Read Across America Day";

(2) honors Theodor Geisel, also known as Dr. Seuss, for his success in encouraging children to discover the joy of reading;

(3) encourages parents to read with their children for at least 30 minutes on Read Across America Day in honor of Dr. Seuss and in a celebration of reading; and

(4) requests that the President issue a proclamation calling on the people of the United States to observe the day with appropriate ceremonies and activities.

**SENATE CONCURRENT RESOLUTION 10—DESIGNATING APRIL 2003 AS "HUMAN GENOME MONTH" AND APRIL 25 AS "DNA DAY"**

Mr. GREGG (for himself, Mr. KENNEDY, Ms. SNOWE, and Mr. DASCHLE)

submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 10

Whereas April 25, 2003, will mark the 50th anniversary of the description of the double-helix structure of DNA by James D. Watson and Francis H.C. Crick, considered by many to be one of the most significant scientific discoveries of the 20th Century;

Whereas, in April 2003, the International Human Genome Sequencing Consortium will place the essentially completed sequence of the human genome in public databases, and thereby complete all of the original goals of the Human Genome Project;

Whereas, in April 2003, the National Human Genome Research Institute of the National Institutes of Health in the Department of Health and Human Services will unveil a new plan for the future of genomics research;

Whereas, April 2003 marks 50 years of DNA discovery during which scientists in the United States and many other countries, fueled by curiosity and armed with ingenuity, have unraveled the mysteries of human heredity and deciphered the genetic code linking one generation to the next;

Whereas, an understanding of DNA and the human genome has already fueled remarkable scientific, medical, and economic advances; and

Whereas, an understanding of DNA and the human genome hold great promise to improve the health and well being of all Americans: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That the Congress—*

(1) designates April 2003 as "Human Genome Month" in order to recognize and celebrate the 50th anniversary of the outstanding accomplishment of describing the structure of DNA, the essential completion of the sequence of the human genome, and the development of a plan for the future of genomics;

(2) designates April 25, 2003, as "DNA Day" in celebration of the 50th anniversary of the publication of the description of the structure of DNA on April 25, 1953; and

(3) recommends that schools, museums, cultural organizations, and other educational institutions across the nation recognize Human Genome Month and DNA Day and carry out appropriate activities centered on human genomics, using information and materials provided through the National Human Genome Research Institute and through other entities.

**SENATE CONCURRENT RESOLUTION 11—EXPRESSING THE SENSE OF CONGRESS REGARDING THE REPUBLIC OF KOREA'S CONTINUING UNLAWFUL BAILOUTS OF HYNIX SEMICONDUCTOR INC., AND CALLING ON THE REPUBLIC OF KOREA, THE SECRETARY OF COMMERCE, THE UNITED STATES TRADE REPRESENTATIVE, AND THE PRESIDENT TO TAKE ACTIONS TO END THE BAILOUTS**

Mr. CRAPO (for himself and Mr. ALLEN) submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 11

Whereas the government of the Republic of Korea has continually, and in violation of its international trade commitments, supplied financial aid to Hynix Semiconductor Inc. ("Hynix"), a failing semiconductor company;

Whereas the United States has strongly and repeatedly requested that the Republic of Korea refrain from these wrongful trade activities;

Whereas these bailouts have resulted in severe distortion of the world DRAM, semiconductor, and electronics markets to the detriment of major United States and other non-Korean producers;

Whereas the United States has continually provided military, national security, and financial aid to the Republic of Korea, including significant contributions to the International Monetary Fund financial package to prevent the Korean economy from going into bankruptcy;

Whereas Hynix exports the vast majority of its semiconductor production to nations outside of Korea, including to the United States and European nations;

Whereas, it was recently announced that Hynix would receive an additional \$4,000,000,000 in debt restructuring, eliminating Hynix's existing debt, an additional \$1,550,000,000 in a debt-for-equity swap, and an extension of \$2,500,000,000 with respect to other outstanding Hynix loans;

Whereas Hynix's creditor banks are providing another subsidy to Hynix in the form of \$188,000,000 in financing to a Chinese company to purchase Hynix's flat computer screen business;

Whereas the largest creditors of Hynix are institutions such as the Korea Development Bank and the Woori Bank, both of which are 100 percent owned by the government of the Republic of Korea; and

Whereas United States and Europe have been forced to initiate anti-subsidy investigations against the Republic of Korea: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That—*

(1) it is the sense of Congress that the actions of the Republic of Korea with respect to the bailouts of Hynix Semiconductor Inc. ("Hynix") are severely detrimental to the bilateral friendship and economic relationships between the United States and Korea; and

(2) Congress calls on—

(A) the Republic of Korea to—

(i) immediately cease any further bailouts of Hynix; and

(ii) immediately comply with all of its obligations as a member of the World Trade Organization, including its obligations regarding subsidies;

(B) the Secretary of Commerce and the United States Trade Representative to—

(i) immediately take such actions as are necessary to end any further bailouts of Hynix, including the self-initiation of a further government investigation of the financial impact of these bailouts, and the calling of a special subsidies code meeting to raise the legal concerns with this issue; and

(ii) begin consultations with Congress regarding appropriate legislative action to fully deal with the impact of the bailouts of Hynix; and

(C) the President to consult with the European Union regarding joint action with respect to the unlawful subsidies to Hynix that are harming the international DRAM, semiconductor, and electronics markets.

Mr. CRAPO. Mr. President, I rise today to introduce this resolution on behalf of myself and Senator GEORGE ALLEN from Virginia. This resolution underscores a very serious and ongoing problem relating to the illegal subsidies being provided by the Korean Government to Hynix Semiconductor, one of the companies operating in South Korea. With this resolution, my