

The Homestead Preservation Act would provide families a vital temporary financial assistance that would enable them to keep their homes and protect their credit ratings as they work toward strengthening and updating their skills and continue their search for a new job.

Hard-working Americans, facing such a harrowing and uncertain situation, ought to have a remedy available to help them. People need transitional help now.

The Homestead Preservation Act provides the temporary financial tools necessary for displaced workers to get back on their feet and succeed—it is a logical and responsible response.

This measure garnered strong bipartisan support the last time it was considered by the Senate. I respectfully urge my colleagues to recognize the value Americans place on owning a home and support this caring and needed initiative.

#### MORNING BUSINESS

Mr. HATCH. Madam President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

Mr. HATCH. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

#### EUROPEAN UNION TRADE DECISION RE: MICROSOFT

Mr. FRIST. Mr. President, for some time now, the U.S. Congress has expressed its frustration over the European Union's intransigence on international trade issues that are vitally important to the U.S. economy. From overreaching attempts to regulate e-commerce, to trade barriers against American beef and other agricultural products, the EU has relentlessly pursued protectionist policies that disproportionately harm American businesses and workers. I now fear that the United States and EU are heading toward a new trade war—and that the Commission's ruling against Microsoft is the first shot.

For the most part, economic growth across the European Union has been meager during this decade. No doubt this is a by-product of the global economic slow down that began in the last year of the Clinton Presidency. But as the U.S. economy achieves record-setting levels of economic growth, Europe remains stagnant. Why? Because European economies are buried by public sector debt; European economies are drained of their vitality by excessive taxation; and European economies are strangled by excessive regulation from bureaucrats sitting in Brussels. Now, as if destroying Europe's economy were

not enough, the European Commission has taken aim at Microsoft, a company whose products and technology have been engines of global economic growth.

The Commission's ruling imposes the largest fine ever levied by the Commission against a company—over \$610 million. This fine was imposed despite the Commission's tacit admission that European law in this area is unclear, and even though Microsoft is already subject to legal obligations, under the U.S. settlement, for essentially the same conduct that was at issue in the EU proceedings. As a result, money that rightfully belongs to Microsoft shareholders will instead be filling the coffers administered by Commission bureaucrats.

The Commission's ruling also requires Microsoft to sell a version of Windows without multimedia functionality—i.e., one that cannot play audio or video. Thus, the ruling forces Microsoft to spend its energies not on developing new, innovative products, but on designing a degraded version of Windows—in short, a product that no one wants or needs. This preposterous demand, by a foreign government, will hurt one of America's most successful companies and harm the hundreds of American IT companies that rely on the multimedia functionality in Windows to offer their own innovative products and services—companies that are responsible for thousands of high-paying American jobs. As the New York Times noted in an editorial last Saturday (March 20), the Commission's demands “would threaten Microsoft's business model and, more important, harm consumers. The very definition of a computer operating system would essentially be frozen where it is today.”

In imposing this anti-consumer, anti-innovation penalty, the Commission has blatantly undercut the settlement that was so carefully and painstakingly crafted with Microsoft by the U.S. Department of Justice and several State antitrust authorities. There can be no question that the U.S. Government was entitled to take the lead in this matter—Microsoft is a U.S. company, many if not all of the complaining companies in the EU case are American, and all of the relevant design decisions took place here. Had the Commission been cognizant of America's legitimate interests in this matter, it would have acted in a manner that complemented the U.S. settlement. Needless to say, the Commission instead selected a path that places its resolution of this case in direct conflict with ours—and threatens the vitality of America's IT industry in the process.

The Commission's complete indifference to the negative impact of its ruling on American jobs, American consumers, and the U.S. economy—and its total disregard of the Department of Justice—are intolerable.

The European Commission has, of course, on many occasions paid lip

service to the importance of international coordination in the area of competition, and on the need for other countries to be sensitive to extraterritorial effects of their anti-trust rulings. But actions speak louder than words, and with the Microsoft ruling the Commission appears intent on saying that it considers the Department of Justice, the U.S. courts, and principles of open and fair international trade largely irrelevant.

It is critical that the Departments of State and Justice stand up not only for an important American company, but also for U.S. industry, U.S. shareholders, and American workers. If the U.S. Government does not make a clear and strong statement objecting to the EU actions, we will lose influence and credibility for years to come to the detriment of the U.S. economy and U.S. consumers.

#### GARDNERVILLE, NEVADA, 125TH BIRTHDAY

Mr. REID. Mr. President, I rise today to wish the town of Gardnerville, NV, a happy 125th birthday.

Gardnerville was founded by Lawrence Gilman in 1879. Mr. Gilman had found a nice 7-acre tract of land on the East Fork of the Carson River, and he thought it would make a beautiful location for a town. So he decided to move his hotel, then named the Kent House, from Genoa, NV, to the new spot. John M. Gardner sold the 7 acres to Mr. Gilman for \$1,250. In gratitude, Mr. Gilman named the town after Mr. Gardner.

The Kent House was later named the Gardnerville Hotel and became a symbol for the town of Gardnerville—a new endeavor in an ever-changing world. Although the hotel no longer stands, you can still visit the humble beginnings of Gardnerville near the J & T Bar.

Mr. Gilman recognized that if he wanted to create a real town around his hotel, he needed to offer business amenities and leisure activities that would attract the ranchers in the area. So he added a blacksmith shop and saloon to his hotel. It wasn't long before local ranchers started coming into town, relaxing and visiting in the saloon while their horses were shod next door. Thus did Gardnerville begin its voyage down the path to prosperity.

By 1899, Gardnerville had blossomed into a thriving city. Almost everything a person might need could be found right on Main Street—two livery stables, a boarding house, three general merchandising stores, four saloons, one meat market, and two hotels, including the original Gardnerville Hotel that had started it all.

Gardnerville's emergence as an important social and commercial center was aided by the formation of the Valhalla Society in 1885. The purpose of the Valhalla Society was to provide information to immigrants, mainly those of Dutch descent. Gardnerville also

served as a feed stop for the 24-horse freight teams that regularly traveled between Carson City and Bodie—in other words, it was the 19th century equivalent of a filling station.

Today Gardnerville remains an active town. With five parks, three schools and an enviable location just minutes from Lake Tahoe, Gardnerville offers a wonderful quality of life. It has kept pace with progress, but it maintains the feel of a one-stop town, where a person feels at home even if they are just passing through.

As the people of Gardnerville prepare to celebrate their town's 125th birthday, in between baking cakes, decorating Main Street and organizing the numerous events that are planned, I hope they pause for a moment to remember that their beautiful city was started on just 7 acres of land. Today Gardnerville has outgrown that original tract, and it continues to fulfill Mr. Gilman's dream.

**SARAH WINNEMUCCA**

Mr. REID. Mr. President, today I rise to celebrate a remarkable woman and the exceptional life she led.

The great Nevadan I wish to honor is Sarah Winnemucca. Born in 1844 as the granddaughter of the great Chief Truckee and the daughter of Chief Winnemucca, Sarah lived during a time of enormous change for the United States, the American West, and especially for the Paiute Nation.

Originally known as Thocmetony, meaning "shell flower," Sarah lived her life as an advocate for the Paiute people. She was also a committed educator. Today one of the most important artifacts we have of Sarah's life is her autobiography, "Life Among the Piutes." The first book published by a Native American woman, Sarah's writings convey a powerful account of life in the West from the perspective of Native Americans.

For many years Sarah lived with her tribe and witnessed the displacement that was forced on the Nevada Paiute. While some were confined to the Pyramid Lake Reservation in western Nevada, others were moved to the Malheur Reservation in Oregon, and still others were exiled to a reservation near Yakima, WA.

Seeking redress for the many hardships that her people suffered, in 1880 Sarah made the long trip to Washington, DC, where she was given an audience with Secretary of the Interior Carl Schurz and President Rutherford B. Hayes.

While that meeting and subsequent negotiations brought no substantive improvements for the Paiutes, Sarah remained committed to her work. Over the next decade she gave more than 300 public speeches to highlight the plight of the Paiute Nation. Sarah eventually returned to Nevada where she established a school for Native Americans near Lovelock.

Through all the challenges she faced, Sarah Winnemucca remained stub-

bornly committed to the promotion of equality for all Americans. She demanded respect for Native Americans in a time when that idea was nothing short of revolutionary.

For these reasons, I am honored to announce that in 2005 the State of Nevada will dedicate a statue of Sarah Winnemucca here in the U.S. Capitol. More than 100 years after her passing, Sarah Winnemucca will join 99 other great Americans whose likenesses stand proudly in the Old Chamber of the House of Representatives, or as we call it today, Statuary Hall.

As a pioneer and a tremendous leader in her own right, it is fitting that Sarah Winnemucca take her place next to the likes of George Washington, Dwight Eisenhower, John Winthrop, Sacajawea and Nevada Senator Patrick McCarran.

In addition to commemorating the life of Sarah Winnemucca, I would like to acknowledge Sara Jones, the administrator of the Nevada State Library and Archives, for her enthusiasm and commitment to this effort. Additionally, I extend my sincere thanks to former assemblywoman Marcia de Braga, Nevada First Lady Dema Guinn, Carrie Townley Porter, Debbie Allen, Richard Hooker, Mary Lee Fulkerson, Steven High, Mary Anne Convis, and Sally Zanjani, who all have worked hard to bring this project to fruition. The support of the Nevada Women's History Project and the Nevada Department of Cultural Affairs was also essential to this effort.

**CBO ESTIMATE ON S. 1879**

Mr. GREGG. Mr. President, on December 9, 2003, I filed Report 108-220 to accompany S. 1879, a bill to amend the Public Health Service Act to revise and extend provisions relating to mammography quality standards. At the time the report was filed, the estimates by the Congressional Budget Office were not available. I ask unanimous consent that a complete copy of the CBO estimate be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

**COST ESTIMATE**

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, March 9, 2004.

Hon. JUDD GREGG,  
Chairman, Committee on Health, Education,  
Labor, and Pensions, U.S. Senate, Wash-  
ington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1879, the Mammography Quality Standards Reauthorization Act of 2003.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Julia Christensen, who can be reached at 226-9010.

Sincerely,

ELIZABETH ROBINSON  
(For Douglas Holtz-Eakin, Director).  
Enclosure.

**S. 1879—Mammography Quality Standards Reauthorization Act of 2003**

Summary: S. 1879 would reauthorize funding for programs carried out under the Mammography Quality Standards Act (MQSA) of 1992. (The program was last reauthorized in 1998.) Authorizations for the program expired at the end of fiscal year 2002 for activities not supported by user fees. The act would authorize the appropriation of such sums as necessary through fiscal year 2005. Assuming the appropriation of the necessary amounts, CBO estimates that implementing S. 1879 would have no effect on costs in 2004 and would cost \$17 million over the 2005-2009 period. The act would not affect direct spending or receipts.

S. 1879 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of S. 1879 is shown in the following table. The costs fall within budget function 550 (health).

	By fiscal year, in millions of dollars—					
	2004	2005	2006	2007	2008	2009
<b>SPENDING SUBJECT TO APPROPRIATION</b>						
<b>MQSA Spending Under Current Law:</b>						
Estimated Authorization Level <sup>1</sup>	16	0	0	0	0	0
Estimated Outlays	16	7	2	1	*	0
<b>Proposed Changes:</b>						
Estimated Authorization Level	0	17	0	0	0	0
Estimated Outlays	0	10	5	1	*	*
<b>MQSA Spending Under S. 1879:</b>						
Estimated Authorization Level <sup>1</sup>	16	17	0	0	0	0
Estimated Outlays	16	17	7	2	1	*

<sup>1</sup>The 2004 level is the amount appropriated in that year for activities under the Mammography Quality Standards Act but not supported by user fees.  
\* = Less than \$500,000.

Basis of Estimate: For the estimate, CBO assumes that the act will be enacted in fiscal year 2004, that the necessary appropriations will be provided near the start of fiscal year 2005, and that outlays will follow historical spending patterns for the MQSA program.

S. 1879 would authorize the appropriation of such sums as necessary through 2005 for the Food and Drug Administration to carry out MQSA activities that are not supported by user fees. Those activities include: establishing and enforcing standards for mammography facilities, accreditation bodies, equipment, personnel, and quality assurance; inspecting facilities run by governmental entities; and providing consumer education. The act also would allow the Secretary of Health and Human Services to issue a temporary renewal certificate and a limited provisional certificate to facilities seeking re-accreditation under certain circumstances. CBO estimates that these activities could be carried out with the 2004 appropriation levels adjusted for inflation. We estimate that these activities would have no effect on costs in 2004 and would cost \$11 million over the 2005-2009 period.

In addition, S. 1879 would reauthorize the breast cancer screening surveillance research grant program, administered by the National Cancer Institute. The act would authorize such sums as necessary for that program, at an estimated cost of \$6 million over the 2005-2009 period.

The program funds research to determine the effectiveness of screening programs in reducing breast cancer mortality. CBO's estimate assumes continued funding at the 2004 level adjusted for inflation.

Intergovernmental and private-sector impact: S. 1879 contains no intergovernmental or private-sector impact as defined in UMRA and would impose no costs on state, local, or tribal governments.

Estimate prepared by: Federal Costs: Julia Christenson (226-9010); Impact on State,