

Operation with such distinctive bravery and professionalism;

(2) calls on the people of the United States to pay honor and homage to all those who fell in the line of duty in Operation Iraqi Freedom;

(3) commends the families of members of the United States Armed Forces for their special role and sacrifices in providing support for United States servicemembers who were deployed to the Middle East for Operation Iraqi Freedom; and

(4) expresses deep condolences to the families of the brave men and women who lost their lives during the conflict in Iraq.

SENATE CONCURRENT RESOLUTION 65—TO COMMEND THE THIRD INFANTRY DIVISION (MECHANIZED) OF THE UNITED STATES ARMY FOR ITS ROLE IN THE LIBERATION OF IRAQ

Mr. MILLER (for himself, Ms. COLLINS, Mr. INOUE, Mr. CHAMBLISS, and Mr. WARNER) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 65

Whereas the Third Infantry Division of the United States Army was organized in 1917 for participation in World War I, and its fierce defense of positions along the Marne River in France in July 1918 blocked an enemy onslaught on approaches to Paris and earned the Division the motto "Rock of the Marne";

Whereas the soldiers of the Third Infantry Division, now mechanized, stand ready to answer the call to defeat aggression with rock solid determination;

Whereas more than 16,000 men and women from the First and Second Brigades of the Third Infantry Division (Mechanized), stationed at Fort Stewart, Georgia, and the Third Brigade of the Division, stationed at Fort Benning, Georgia, were deployed in support of Operation Iraqi Freedom;

Whereas the families of the soldiers of the Third Infantry Division (Mechanized) deployed in support of Operation Iraqi Freedom provided exceptional and unwavering support for their soldiers during the deployment; and

Whereas Congress and the people of the United States have the greatest pride in the men and women of the Third Infantry Division (Mechanized), and strongly support those men and women as they carry out their duties: Now, therefore, be it

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

(1) honors the men and women of the Third Infantry Division (Mechanized) of the United States Army who participated in Operation Iraqi Freedom and the follow-on military operations in Iraq, for their professional excellence, dedicated patriotism, and exemplary bravery;

(2) commends the soldiers of the Third Infantry Division (Mechanized) for their role in the fall of Baghdad;

(3) expresses gratitude to the families of the soldiers of the Third Infantry Division (Mechanized) for bearing the burden of sacrifice and separation from loved ones during the operations in Iraq; and

(4) expresses deep condolences to the families of the brave soldiers of the Third Infantry Division (Mechanized) who lost their lives while fighting to liberate Iraq.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1580. Mr. HARKIN (for himself, Mr. KENNEDY, Mr. DASCHLE, Ms. MIKULSKI, Mrs.

CLINTON, Mr. EDWARDS, Mrs. MURRAY, Mr. CORZINE, Mr. BYRD, Mr. SCHUMER, Mr. LAUTENBERG, Mr. KERRY, Mr. LIEBERMAN, Mr. FEINGOLD, Mr. SARBANES, Mr. DODD, Ms. STABENOW, Mr. REID, Mr. LEAHY, Mr. DURBIN, Mr. AKAKA, Mr. DAYTON, Mr. PRYOR, Mr. REED, Mr. NELSON of Florida, and Mr. JOHNSON) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

SA 1581. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra; which was ordered to lie on the table.

SA 1582. Mr. REID submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra; which was ordered to lie on the table.

SA 1583. Mr. FRIST (for Mr. HATCH) proposed an amendment to the resolution S. Res. 210, expressing the sense of the Senate that supporting a balance between work and personal life is in the best interest of national worker productivity, and that the President should issue a proclamation designating October of 2003 as "National Work and Family Month".

SA 1584. Mr. FRIST (for Mr. HATCH) proposed an amendment to the resolution S. Res. 210, supra.

SA 1585. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table.

SA 1586. Mr. NELSON of Nebraska submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra; which was ordered to lie on the table.

SA 1587. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, supra; which was ordered to lie on the table.

SA 1588. Mr. BINGAMAN (for himself, Mr. LAUTENBERG, Ms. CANTWELL, Mr. BAUCUS, Ms. STABENOW, Mr. LEVIN, Mr. DURBIN, and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill H.R. 2660, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1580. Mr. HARKIN (for himself, Mr. KENNEDY, Mr. DASCHLE, Ms. MIKULSKI, Mrs. CLINTON, Mr. EDWARDS, Mrs. MURRAY, Mr. CORZINE, Mr. BYRD, Mr. SCHUMER, Mr. LAUTENBERG, Mr. KERRY, Mr. LIEBERMAN, Mr. FEINGOLD, Mr. SARBANES, Mr. DODD, Ms. STABENOW, Mr. REID, Mr. LEAHY, Mr. DURBIN, Mr. AKAKA, Mr. DAYTON, Mr. PRYOR, Mr. REED, Mr. NELSON of Florida, and Mr. JOHNSON) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 23, between lines 15 and 16, insert the following:

SEC. \_\_\_\_\_. None of the funds provided under this Act shall be used to promulgate or implement any regulation that exempts from the requirements of section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) any employee who is not otherwise exempted pursuant to regulations under section 13 of such Act (29 U.S.C. 213) that were in effect as of September 3, 2003.

SA 1581. Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 62, line 6, insert "annually" after "obtain".

SA 1582. Mr. REID submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 30, line 7, insert before the period the following: "": *Provided further*, That in addition to amounts otherwise made available under this Act to the Centers for Disease Control and Prevention for activities under the comprehensive cancer control program, there shall be made available an additional \$8,000,000 to expand comprehensive cancer control activities, including activities relating to cancer survivorship in partnership with national cancer survivorship organizations".

SA 1583. Mr. FRIST (for Mr. HATCH) proposed amendment to the resolution S. Res. 210, expressing the sense of the Senate that supporting a balance between work and personal life is in the best interest of national worker productivity, and that the President should issue a proclamation designating October of 2003 as "National Work and Family Month"; as follows:

Strike all after the resolving clause and insert the following:  
That—

(1) it is the sense of the Senate that—  
(A) reducing the conflict between work and family life should be a national priority; and  
(B) the month of October of 2003 should be designated as "National Work and Family Month"; and

(2) the Senate requests that the President issue a proclamation calling upon the people of the United States to observe "National Work and Family Month" with appropriate ceremonies and activities.

SA 1584. Mr. FRIST (for Mr. HATCH) proposed an amendment to the resolution S. Res. 210, expressing the sense of the Senate that supporting a balance between work and personal life is in the best interest of national workers productivity, and that the President should issue a proclamation designating October of 2003 as "National Work and Family Month"; as follows:

Amend the title so as to read: "Expressing the sense of the Senate that supporting a

balance between work and personal life is in the best interest of national workers productivity, and that the President should issue a proclamation designating October of 2003 as "National Work and Family Month".

**SA 1585.** Mr. ENSIGN submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:  
 SEC. \_\_\_\_ (a) The total amount appropriated, out of any money in the Treasury not otherwise appropriated for fiscal year 2004, to carry out the 21st Century Community Learning Centers Program under part B of title IV of the Elementary and Secondary Education Act of 1965, shall be \$1,100,000,000.  
 (b) Each amount appropriated under this Act (other than amounts appropriated for the Department of Education) that is not required to be appropriated by a provision of law is reduced by the uniform percentage necessary to reduce the total amounts appropriated under this Act (other than amounts appropriated for the Department of Education) by \$100,000,000.

**SA 1586.** Mr. NELSON of Nebraska submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

In title II, after section 218, insert the following:

SEC. 219. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Centers for Medicare & Medicaid Services proposed rule entitled "Medicare Program; Inpatient Rehabilitation Facility Prospective Payment System For FY 2004; Proposed Rule", 68 Fed. Reg. 26786 (May 16, 2003), or any other proposed rule regarding the inpatient rehabilitation facility prospective payment system for fiscal year 2004, unless the Secretary of Health and Human Services—

(1) modifies the proposed rule to provide that during such period as the Secretary may determine, not to exceed 1 year, the requirement that 75 percent of the facility's cases shall be in 10 diagnoses (commonly referred to as the "75 percent rule") shall be lowered to 50 percent;

(2) during such period, consults with an expert panel of clinicians to reach a consensus on the diagnoses to be included in the 75 percent rule, as well as the appropriate clinical criteria for patients within the respective diagnoses, and whether joint replacements should be included or added to the diagnoses subject to the 75 percent rule; and

(3) considers basing inpatient rehabilitation facility payments on patient-specific criteria that are linked to high-quality outcomes.

**SA 1587.** Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of

Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 43, line 16, strike "\$34,227,000" and insert "\$54,227,000, of which \$20,000,000 shall be derived from prior-year funds available for fiscal year 2004 expenses".

**SA 1588.** Mr. BINGAMAN (for himself, Mr. LAUTENBERG, Ms. CANTWELL, Mr. BAUCUS, Ms. STABENOW, Mr. LEVIN, Mr. DURBIN, and Mr. PRYOR) submitted an amendment intended to be proposed to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 42, line 25, strike "\$2,000,000,000." and insert "\$3,000,000,000: *Provided*, That of the funds appropriated in this Act for the National Institutes of Health, \$3,000,000,000 shall not be available for obligation until September 30, 2004: *Provided further*, That the amount \$6,895,199,000 in section 305(a)(1) of this Act shall be deemed to be \$7,895,199,000: *Provided further*, That the amount \$6,783,301,000 in section 305(a)(2) of this Act shall be deemed to be \$5,783,301,000."

#### AUTHORITY FOR COMMITTEES TO MEET

##### JOINT ECONOMIC COMMITTEE

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Joint Economic Committee be authorized to conduct a hearing in Room 628 of the Dirksen Senate Office Building, Friday, September 5, 2003, from 9:30 am to 1 pm.

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

#### COMMENDING MEMBERS OF THE UNITED STATES ARMED FORCES

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 64, submitted earlier today by Senators MILLER, COLLINS, INOUE, CHAMBLISS, LEVIN, DASCHLE, NELSON of Nebraska, and WARNER.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 64) to commend members of the United States Armed Forces for their services to the United States for the liberation of Iraq, and for other purposes.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. FRIST. I ask unanimous consent that the concurrent resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and any statements relating thereto be printed in the RECORD, without intervening action or debate.

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

The concurrent resolution (S. Con. Res. 64) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

##### S. CON. RES. 64

Whereas the valiant and dedicated members of the United States Armed Forces performed in an exceptionally professional manner, befitting of an all-volunteer military force, during Operation Iraqi Freedom;

Whereas the National Guard and the other reserve components of the United States Armed Forces demonstrated their readiness and ability to respond and deploy quickly and were an integral part of Operation Iraqi Freedom;

Whereas the families of the more than 200,000 members of the United States Armed Forces who were called into action in Operation Iraqi Freedom provided exceptional and unwavering support for the United States servicemembers who were deployed to the Middle East; and

Whereas the people of the United States grieve and pray for all those who made the ultimate sacrifice and for those who were injured in the line of duty while serving in Operation Iraqi Freedom: Now, therefore, be it

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

(1) commends the members of the United States Armed Forces for their role in Operation Iraqi Freedom, and for serving in that Operation with such distinctive bravery and professionalism;

(2) calls on the people of the United States to pay honor and homage to all those who fell in the line of duty in Operation Iraqi Freedom;

(3) commends the families of members of the United States Armed Forces for their special role and sacrifices in providing support for United States servicemembers who were deployed to the Middle East for Operation Iraqi Freedom; and

(4) expresses deep condolences to the families of the brave men and women who lost their lives during the conflict in Iraq.

#### COMMENDING THE THIRD INFANTRY DIVISION (MECHANIZED) OF THE UNITED STATES ARMY

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 65, submitted earlier today by Senators MILLER, COLLINS, INOUE, CHAMBLISS, and WARNER.

The PRESIDING OFFICER. The clerk will report the concurrent resolution.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 65) to commend the Third Infantry Division (Mechanized) of the United States Army for its role in the liberation of Iraq.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. FRIST. I ask unanimous consent that the concurrent resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and any statements relating thereto be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 65) was agreed to.