

When others would have preferred to live in a more enlightened time, Buck has no regrets. "Waste no tears on me," he says. "I didn't come along too early. I was right on time." What a lesson we can learn from this great hero. "Give it up"—that's Buck's way. Don't be so formal. Don't hide behind polite conversations. Don't be afraid to show someone some love. Show what's in your heart, always; don't keep it inside. On this special occasion I urge us all to "Give it up." ●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a withdrawal and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### REPORT ON THE SEVENTH BIENNIAL REVISION (2002-2006) TO THE UNITED STATES ARCTIC RESEARCH PLAN—MESSAGE FROM THE PRESIDENT—PM 59

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Governmental Affairs.

*To the Congress of the United States:*

Pursuant to the provisions of the Arctic Research and Policy Act of 1984, as amended (15 U.S.C. 4108(a)), I transmit herewith the seventh biennial revision (2002-2006) to the United States Arctic Research Plan.

GEORGE W. BUSH.  
THE WHITE HOUSE, November 15, 2001.

#### MESSAGE FROM THE HOUSE

At 5:32 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 74. A joint resolution making further continuing appropriations for the fiscal year 2002, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 211. Concurrent resolution commending Daw Aung San Suu Kyi on the 10th anniversary of her receiving the Nobel Peace Prize and expressing the sense of the Congress with respect to the Government of Burma.

H. Con. Res. 257. Concurrent resolution expressing the sense of the Congress that the

men and women of the United States Postal Service have done an outstanding job of collecting, processing, sorting, and delivering the mail during this time of national emergency.

#### ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bills:

H.R. 2330. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes.

H.R. 2500. An act making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

The enrolled bills were signed subsequently by the President pro tempore (Mr. BYRD).

#### MEASURES REFERRED

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 211. Concurrent resolution commending Daw Aung San Suu Kyi on the 10th anniversary of her receiving the Nobel Peace Prize and expressing the sense of the Congress with respect to the Government of Burma; to the Committee on Foreign Relations.

H. Con. Res. 257. Concurrent resolution expressing the sense of the Congress that the men and women of the United States Postal Service have done an outstanding job of delivering the mail during this time of national emergency; to the Committee on Governmental Affairs.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-4576. A communication from the Secretary of the Senate, transmitting, pursuant to law, the report of the receipts and expenditures of the Senate for the period April 1, 2001 through September 30, 2001; ordered to lie on the table.

EC-4577. A communication from the General Counsel, National Science Foundation, transmitting, pursuant to law, the report of a rule entitled "Amendments to Antarctic Conservation Act Regulations (45 CFR Part 670) to designate two additional Antarctic Specially Protected Areas and Correct Typographical Errors" received on November 8, 2001; to the Committee on Environment and Public Works.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Governmental Affairs, with amendments:

S. 1008: A bill to amend the Energy Policy Act of 1992 to develop the United States Climate Change Response Strategy with the goal of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system, while minimizing adverse short-term and long-term economic and social impacts, aligning

the Strategy with United States energy policy, and promoting a sound national environmental policy, to establish a research and development program that focuses on bold technological breakthroughs that make significant progress toward the goal of stabilization of greenhouse gas concentrations, to establish the National Office of Climate Change Response within the Executive Office of the President, and for other purposes. (Rept. No. 107-99).

#### EXECUTIVE REPORT OF A COMMITTEE

The following executive report of a committee was reported on November 15, 2001:

By Mr. BIDEN, from the Committee on Foreign Relations:

TREATY DOC. 106-41 PROTOCOL RELATING TO THE MADRID AGREEMENT (EXEC. REPT. 107-1)

#### TEXT OF THE COMMITTEE RECOMMENDED RESOLUTION OF ADVICE AND CONSENT

*Resolved (two-thirds of the Senators present concurring therein),*

#### SECTION 1. ADVICE AND CONSENT TO ACCESSION TO THE MADRID PROTOCOL, SUBJECT TO AN UNDERSTANDING, DECLARATIONS, AND CONDITIONS.

The Senate advises and consents to the accession by the United States to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks, adopted at Madrid on June 27, 1989, entered into force on December 1, 1995 (Treaty Doc. 106-41; in this resolution referred to as the "Protocol"), subject to the understanding in section 2, the declarations in section 3, and the conditions in section 4.

#### SEC. 2. UNDERSTANDING.

The advice and consent of the Senate under section 1 is subject to the understanding, which shall be included in the United States instrument of accession to the Protocol, that no secretariat is established by the Protocol and that nothing in the Protocol obligates the United States to appropriate funds for the purpose of establishing a permanent secretariat at any time.

#### SEC. 3. DECLARATIONS.

The advice and consent of the Senate under section 1 is subject to the following declarations:

(1) NOT SELF-EXECUTING.—The United States declares that the Protocol is not self-executing.

(2) TIME LIMIT FOR REFUSAL NOTIFICATION.—Pursuant to Article 5(2)(b) of the Protocol, the United States declares that, for international registrations made under the Protocol, the time limit referred to in subparagraph (a) of Article 5(2) is replaced by 18 months. The declaration in this paragraph shall be included in the United States instrument of accession.

(3) NOTIFYING REFUSAL OF PROTECTION.—Pursuant to Article 5(2)(c) of the Protocol, the United States declares that, when a refusal of protection may result from an opposition to the granting of protection, such refusal may be notified to the International Bureau after the expiry of the 18-month time limit. The declaration in this paragraph shall be included in the United States instrument of accession.

(4) FEES.—Pursuant to Article 8(7)(a) of the Protocol, the United States declares that, in connection with each international registration in which it is mentioned under Article 3 of the Protocol, and in connection with each renewal of any such international registration, the United States chooses to receive, instead of a share in revenue produced by the supplementary and complementary fees, an

individual fee the amount of which shall be the current application or renewal fee charged by the United States Patent and Trademark Office to a domestic applicant or registrant of such a mark. The declaration in this paragraph shall be included in the United States instrument of accession.

**SEC. 4. CONDITIONS.**

The advice and consent of the Senate under section 1 is subject to the following conditions:

(1) TREATY INTERPRETATION.—The Senate reaffirms condition (8) of the resolution of ratification of the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe (CFE) of November 19, 1990 (adopted at Vienna on May 31, 1996), approved by the Senate on May 14, 1997 (relating to condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988).

(2) NOTIFICATION OF THE SENATE OF CERTAIN EUROPEAN COMMUNITY VOTES.—The President shall notify the Senate not later than 15 days after any nonconsensus vote of the European Community, its member states, and the United States within the Assembly of the Madrid Union in which the total number of votes cast by the European Community and its member states exceeded the number of member states of the European Community.

**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. BOND:

S. 1705. A bill to amend the Public Health Service Act to provide for the establishment of a homeland security academic centers for public health preparedness network; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HARKIN:

S. 1706. A bill to provide for the enhanced control of biological agents and toxins; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JEFFORDS (for himself, Mr. BREAUX, Mr. KYL, Mr. KERRY, Mr. BINGAMAN, Mr. SMITH of Oregon, Mr. FRIST, Mr. WARNER, Mr. HELMS, Mr. HARKIN, Ms. COLLINS, Mr. SHELBY, Ms. SNOWE, and Mrs. MURRAY):

S. 1707. A bill to amend title XVIII of the Social Security Act to specify the update for payments under the medicare physician fee schedule for 2002 and to direct the Medicare Payment Advisory Commission to conduct a study on replacing the use of the sustainable growth rate as a factor in determining such update in subsequent years; to the Committee on Finance.

By Mr. McCONNELL (for himself and Ms. LANDRIEU):

S. 1708. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure the continuity of medical care following a major disaster by making private for-profit medical facilities eligible for Federal disaster assistance; to the Committee on Environment and Public Works.

By Mr. SMITH of New Hampshire (for himself and Mrs. FEINSTEIN):

S. 1709. A bill to amend the Internal Revenue Code of 1986 to provide incentives to introduce new technologies to reduce energy consumption in buildings; to the Committee on Finance.

By Mr. SMITH of New Hampshire:

S. 1710. A bill to amend the Internal Revenue Code of 1986 to provide that tips received for certain services shall not be sub-

ject to income or employment taxes; to the Committee on Finance.

By Mr. CAMPBELL:

S. 1711. A bill to designate the James Peak Wilderness and the James Peak Protection Area in the State of Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY (for himself, Mr. KOHL, Mr. HATCH, Mr. CARPER, Mr. THURMOND, Mr. CHAFEE, and Mr. SPECTER):

S. 1712. A bill to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, and for other purposes; to the Committee on the Judiciary.

By Mr. STEVENS:

S. 1713. A bill to amend title 39, United States Code, to direct the Postal Service to adhere to an equitable tender policy in selecting air carriers of non-priority bypass mail to certain points in the State of Alaska, and for other purposes; to the Committee on Governmental Affairs.

By Mr. McCONNELL:

S. 1714. A bill to provide for the installation of a plaque to honor Dr. James Harvey Early in the Williamsburg, Kentucky Post Office Building; to the Committee on Governmental Affairs.

By Mr. FRIST (for himself, Mr. KENNEDY, Mr. ALLEN, Mr. DASCHLE, Mr. BOND, Mr. AKAKA, Mr. CHAFEE, Mr. BAYH, Ms. COLLINS, Mr. BIDEN, Mr. DOMENICI, Mr. BREAUX, Mr. DEWINE, Mrs. CARNAHAN, Mr. HAGEL, Mr. CLELAND, Mr. HUTCHINSON, Mrs. CLINTON, Mrs. HUTCHISON, Mr. CORZINE, Mr. ROBERTS, Mr. DODD, Ms. SNOWE, Mr. DURBIN, Mr. VOINOVICH, Mr. EDWARDS, Mr. WARNER, Mrs. FEINSTEIN, Mr. HARKIN, Mr. JEFFORDS, Mr. JOHNSON, Mr. LEAHY, Mr. LIEBERMAN, Ms. MIKULSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. REED, Mr. ROCKEFELLER, Mr. SARBANES, and Mr. TORRICELLI):

S. 1715. A bill to improve the ability of the United States to prepare for and respond to a biological threat or attack; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY (for himself, Mr. STEVENS, Mr. HOLLINGS, Mr. INOUYE, and Mr. AKAKA):

S. 1716. A bill to speed national action to address global climate change, and for other purposes; to the Committee on Commerce, Science, and Transportation.

**SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS**

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DASCHLE (for himself and Mr. LOTT):

S. Res. 181. A resolution to authorize testimony, document production, and legal representation in State of Idaho v. Joseph Daniel Hooper; considered and agreed to.

By Mr. SCHUMER (for himself and Mrs. CLINTON):

S. Con. Res. 84. A concurrent resolution providing for a joint session of Congress to be held in New York City, New York; to the Committee on Rules and Administration.

**ADDITIONAL COSPONSORS**

S. 906

At the request of Mr. ENZI, the name of the Senator from Nevada (Mr. ENZI) was added as a cosponsor of S. 906, a bill to provide for protection of

gun owner privacy and ownership rights, and for other purposes.

S. 990

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 990, a bill to amend the Pittman-Robertson Wildlife Restoration Act to improve the provisions relating to wildlife conservation and restoration programs, and for other purposes.

S. 1022

At the request of Mr. WARNER, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 1022, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 1140

At the request of Mr. HATCH, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 1140, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1163

At the request of Mr. CORZINE, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 1163, a bill to increase the mortgage loan limits under the National Housing Act for multifamily housing mortgage insurance.

S. 1248

At the request of Ms. MIKULSKI, her name was added as a cosponsor of S. 1248, a bill to establish a National Housing Trust Fund in the Treasury of the United States to provide for the development of decent, safe, and affordable, housing for low-income families, and for other purposes.

S. 1324

At the request of Mr. LIEBERMAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1324, a bill to provide relief from the alternative minimum tax with respect to incentive stock options exercised during 2000.

S. 1434

At the request of Mr. SPECTER, the names of the Senator from Delaware (Mr. CARPER), the Senator from Wyoming (Mr. ENZI), the Senator from Arkansas (Mr. HUTCHINSON), the Senator from Arkansas (Mrs. LINCOLN), the Senator from Kentucky (Mr. McCONNELL), the Senator from Kansas (Mr. ROBERTS), the Senator from Pennsylvania (Mr. SANTORUM), and the Senator from Tennessee (Mr. THOMPSON) were added as cosponsors of S. 1434, a bill to authorize the President to award posthumously the Congressional Gold Medal to the passengers and crew of United Airlines flight 93 in the aftermath of the terrorist attack on the United States on September 11, 2001.