

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 sundry nominations which were referred to the appropriate committees.

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

#### MESSAGE FROM THE HOUSE

At 4:23 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 503. An act to amend title 18, United States Code, and the Uniform Code of Military Justice to protect unborn children from assault and murder, and for other purposes.

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

H. Con. Res. 110. Concurrent resolution expressing the sense of the Congress in support of National Children's Memorial Flag Day.

The message further announced that pursuant to section 3 of Public Law 94-304, as amended by section 1 of Public Law 99-7, the Speaker appoints the following Members of the House of Representatives to the Commission on Security and Cooperation in Europe: Mr. HOYER of Maryland, Mr. CARDIN of Maryland, Ms. SLAUGHTER of New York, and Mr. HASTINGS of Florida.

The message also announced that pursuant to 14 U.S.C. 194(a), the Speaker appoints the following Member of the House of Representatives to the Board of Visitors to the United States Coast Guard Academy: Mr. TAYLOR of Mississippi.

The message further announced that pursuant to section 5(b) of the James Madison Commemoration Commission Act (Public Law 106-550), the Speaker appoints of the following members on the part of the House of Representatives to the James Madison Commemoration Advisory Committee: Dr. Charles R. Kesler of Claremont, California and Mr. Randy Wright of Richmond, VA.

The message also announced that pursuant to section 12(b)(1) of the Centennial of Flight Commemoration Act (36 U.S.C. 143), and upon the recommendation of the Minority Leader, the Speaker appoints the following citizen of the United States to the First Flight Centennial Federal Advisory Board: Mr. Neil Armstrong of Lebanon, Ohio.

#### MEASURE REFERRED

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 110. Concurrent resolution expressing the sense of the Congress in support of National Children's Memorial Flag Day.

#### 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-1614. A communication from the Chief of the Regulations Unit of the Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidelines on Leveraged Lease Advance Rulings" (Rev. Proc. 2001-28) received on April 24, 2001; to the Committee on Finance.

EC-1615. A communication from the Administrator of the National Nuclear Security Administration, Department of Energy, transmitting, pursuant to law, a report concerning a High-Energy-Density Physics Study; to the Committee on Appropriations.

EC-1616. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, a report of the designation of acting officer in the position of Administrator, Federal Insurance Administration; to the Committee on Banking, Housing, and Urban Affairs.

EC-1617. A communication from the Counsel for Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Equal Employment Opportunity; Updating of EEO Policies and Procedures" (RIN2501-AC73) received on April 23, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-1618. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a vacancy and the designation of acting officer in the position of Director of Defense Research and Engineering, Department of Defense; to the Committee on Armed Services.

EC-1619. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination in the position of Under Secretary of Defense (Comptroller); to the Committee on Armed Services.

EC-1620. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a vacancy and the designation of acting officer in the position of Assistant Secretary of Defense, International Security Affairs; to the Committee on Armed Services.

EC-1621. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a vacancy in the position of Under Secretary of the Army; to the Committee on Armed Services.

EC-1622. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a confirmed nomination in the position of Deputy Secretary of Defense; to the Committee on Armed Services.

EC-1623. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination in the position of Deputy Secretary of Defense; to the Committee on Armed Services.

EC-1624. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a discontinuation of service in acting role in the position of Assistant Secretary of Defense, Strategy and Threat Reduction; to the Committee on Armed Services.

EC-1625. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary of Defense, Force Management Policy; to the Committee on Armed Services.

EC-1626. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a vacancy and the designation of acting officer in the position of Assistant Secretary of Defense, Command, Control, Communication, and Intelligence; to the Committee on Armed Services.

EC-1627. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary of Defense, Legislative Affairs; to the Committee on Armed Services.

EC-1628. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary of Defense, Public Affairs; to the Committee on Armed Services.

EC-1629. A communication from the Assistant General Counsel for Regulatory Law, Office of Defense Programs, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Packaging and Transfer or Transportation of Materials of National Security Interest" (DOE O 461.1 and DOE M 461.1) received on April 18, 2001; to the Committee on Armed Services.

EC-1630. A communication from the Financial Analysis Technician, Michigan Air National Guard, transmitting, a report relative to Economic Impact Analysis of the 110 Fighter Wing for Fiscal Year 2000; to the Committee on Armed Services.

EC-1631. A communication from the Acting Special Assistant to the Secretary of Defense for Gulf War Illnesses, Medical Readiness, and Military Deployments, transmitting, a commemorative edition of "GulfNEWS"; to the Committee on Armed Services.

EC-1632. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Monticello, Arkansas, and Bastrop, Louisiana)" (Doc. No. 99-141) received on April 24, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1633. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations (Jacksonville, NC)" (Doc. No. 01-3) received on April 24, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1634. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Kankakee and Park Forest, Illinois)" (Doc. No. 99-330) received on April 24, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1635. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.606(b), Table of Allotments, TV Broadcast Stations (New Iberia, LA)" (Doc. No. 01-2) received on April 24, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1636. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Prohibited Area P-49 Crawford; Texas" (RIN2120-AA66) (2001-0063) received on April 5, 2001; to the Committee on Commerce, Science, and Transportation.

EC-1637. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Budget and Programs, Office of the Secretary; to the Committee on Commerce, Science, and Transportation.

EC-1638. A communication from the Attorney/Advisor of the Department of Transportation, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary for Budget and Programs, Office of the Secretary; to the Committee on Commerce, Science, and Transportation.

EC-1639. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of the designation of acting officer for the position of Associate Director, Preparedness Training and Exercise Director; to the Committee on Environment and Public Works.

EC-1640. A communication from Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New York; Motor Vehicle Inspection and Maintenance Program" (FRL6924-3) received on April 23, 2001; to the Committee on Environment and Public Works.

EC-1641. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Plans For Designated Facilities and Pollutants: Rhode Island; Plan for Controlling Emissions From Existing Hospital/Medical/Infectious Waste Incinerators" (FRL6941-1) received on April 23, 2001; to the Committee on Environment and Public Works.

EC-1642. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; Illinois" (FRL6970-6) received on April 23, 2001; to the Committee on Environment and Public Works.

EC-1643. A communication from the Acting Director of the Trade and Development Agency, transmitting, the report or a vacancy and the designation of acting officer for the position of Director; to the Committee on Foreign Relations.

EC-1644. A communication from the Acting Director of the Defense Security Cooperation Agency, transmitting, pursuant to law, the annual report on Military Assistance, Military Exports, and Military Imports; to the Committee on Foreign Relations.

#### 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-20. A resolution adopted by the House of the Legislature of the State of Utah relative to Indian Health Services; to the Committee on Appropriations.

#### HOUSE RESOLUTION No. 8

Whereas, since the mid-1980's the Navajo Nation and Indian Health Services have planned the construction of the Red Mesa Health Center and staff quarters to improve access to health care for the 10,000 people residing in southeast Utah and northeast Arizona;

Whereas, local land users donated 75 acres of land at Red Mesa, Arizona, for the development of the Red Mesa Health Center and staff quarters;

Whereas, all of the necessary documents including legal surveys and environmental clearance have been completed and the site has been legally withdrawn by the Navajo Nation for the project;

Whereas, the United States Congress appropriated design funds in fiscal year 2000 for the design of the Red Mesa Health Center;

Whereas, the Indian Health Services has hired an architectural firm and the project is currently in design;

Whereas, a construction manager also has been hired to oversee the construction of the project once it is designated and construction funds are appropriated;

Whereas, the Red Mesa Health Center, when completed, will provide adult and pediatric medical service, diagnosis and laboratory services, short stay nursing beds, dental physical therapy, and 24-hour emergency care;

Whereas, most of the services that would be provided by the Red Mesa Health Center are currently unavailable in the proposed service area and the local people have to travel to Shiprock, New Mexico, to receive these services;

Whereas, travel distance to Shiprock for the user population is an average of 60 miles;

Whereas, Indian Health Services planned the Red Mesa Health Center with 93 units of staff quarters due to the remoteness of the site;

Whereas, housing availability is critical in the recruitment and retention of medical doctors, nurses, and other health professionals on the Navajo Nation; and

Whereas, it is vital that the staff quarters to be constructed at the same time as the health center in order for the clinic to open with adequate staffing: Now, therefore, be it

*Resolved*, That the House of Representatives of the state of Utah urges the United States Congress to appropriate \$48 million in construction funds as part of the Indian Health Services budget for fiscal year 2002 for the Red Mesa Health Center and staff quarters at Red Mesa, Arizona. Be it further

*Resolved*, That a copy of this resolution be sent to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of Utah's congressional delegation.

POM-21. A joint resolution adopted by the Legislature of the State of Utah relative to the Presidential tax relief plan; to the Committee on Finance.

#### HOUSE RESOLUTION No. 18

Whereas, federal taxes from all sources are currently the highest ever during peacetime;

Whereas, all taxpayers should be allowed to keep more of their own money;

Whereas, one of the best ways to encourage economic growth is to cut marginal tax rates across all tax brackets;

Whereas, under current tax law, low-income workers often pay the highest marginal rates and President Bush's tax cut would reduce the marginal tax rate by 40-50 percent for low-income families with children;

Whereas, President Bush's tax relief plan will contribute to raising the standard of living for all Americans by reducing tax rates, expending the child tax credit, and reducing the marriage penalty;

Whereas, President Bush's tax relief plan will increase access to the middle class for hard working families, treat all middle class families more fairly, encourage entrepreneurship and growth, and promote charitable giving and education; and

Whereas, under President Bush's tax relief plan, the largest percentage reductions will go to the lowest income earners:

Now therefore, be it *Resolved*, That the Legislature of the state of Utah urges the United States Congress to support and work to pass the tax relief plan introduced by President Bush.

Be it further *Resolved*. That a copy of this resolution be sent to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of Utah's congressional delegation.

POM-22. A joint resolution adopted by the Legislature of the State of Utah relative to the repealing, rescinding, and superseding of any and all existing applications to Congress for a constitutional convention previously made; to the Committee on the Judiciary.

#### HOUSE RESOLUTION No. 15

Whereas, the Legislature of the state of Utah, acting with the best of intentions, has, at various times, previously made applications to the Congress of the United States of America for one or more constitutional conventions for general purposes or for the limited purposes of considering amendments to the Constitution of the United States of America on various subjects and for various purposes;

Whereas, former Justices of the United States Supreme Court and other leading constitutional scholars are in general agreement that a constitutional convention, notwithstanding whatever limitations have been specified in the applications of the several states for a convention, would have within the scope of its authority the complete redrafting of the Constitution of the United States of America, thereby creating an imminent peril to the well-established rights of the people and to the constitutional principles under which we are presently governed;

Whereas, the Constitution of the United States of America has been amended many times in the history of the nation and may yet be amended many more times, and has been interpreted for 200 years and been found to be a sound document which protects the rights and liberties of the people without the need for a constitutional convention;

Whereas, there is no need for—rather, there is great danger in—a new constitution, the adoption of which would only create legal chaos in America and only begin the process of another two centuries of litigation over its meaning and interpretation; and

Whereas, such changes or amendments as may be needed in the present Constitution may be proposed and enacted, pursuant to the process provided therein and previously used throughout the history of this nation, without resort to a constitutional convention: now, therefore, be it

*Resolved*, By the Legislature of the state of Utah that any and all existing applications to the Congress of the United States of America for a constitutional convention or conventions heretofore made by the Legislature of the state of Utah under Article V of the constitution of the United States of America for any purpose, whether limited or general, be hereby repealed, rescinded, and