

H.R. 2217. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes; to the Committee on Appropriations.

#### 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-2581. A communication from the Acting Assistant General Counsel for Regulations, Office of Educational Research and Improvement, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Notice of Final Priority: American Indian and Alaska Native Education Research Grant Program" received on June 20, 2001; to the Committee on Indian Affairs.

EC-2582. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Solicitation for Proposals: To Promote the Use of Market Based Mechanisms to Address Environmental Issues" received on June 21, 2001; to the Committee on Environment and Public Works.

EC-2583. A communication from the Chief Executive Officer of the Federal Loan Bank of Chicago, transmitting, pursuant to law, the annual report on the system of internal accounting and financial controls for 2000; to the Committee on Governmental Affairs.

EC-2584. A communication from the Clerk of the United States Court of Federal Claims, transmitting, the Report of the Review Panel relative to S. Res. 129, 105th Congress., 1st Session referred S. 1168; to the Committee on the Judiciary.

EC-2585. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance on Filing an Application for a Tentative Carryback Adjustment in a Consolidated Return Context" (RIN1545-AY58) received on June 21, 2001; to the Committee on Finance.

EC-2586. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Special Aggregate Stock Ownership Rules" (RIN1545-AY80) received on June 18, 2001; to the Committee on Finance.

#### 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-111. A resolution adopted by the Board of Director of the Colorado River Water Users Association relative to the nomination for the position of Assistant Secretary of Fish, Wildlife and Parks, Department of the Interior; to the Committee on Environment and Public Works.

POM-112. A petition presented by the Council on Administrative Rights entitled "Full Circle"; to the Committee on Environment and Public Works.

POM-113. A petition presented by the State of Maryland General Assembly relative to Senate Bill 85; to the Committee on the Judiciary.

POM-114. A petition presented by a Member of the General Assembly of the State of Missouri relative to energy; to the Committee on Energy and Natural Resources.

POM-115. A joint resolution adopted by the Legislature of the State of Maine relative to Medicare supplement insurance policies; to the Committee on Finance.

#### JOINT RESOLUTION

Whereas, prescription drugs provide essential treatment to all our citizens in this country; and

Whereas, retail expenditures on prescription drugs in most states have approximately doubled over the past 6 years; and

Whereas, citizens in the United States often pay the highest prices in the world for prescription drugs, and due to these excessive prescription drug prices, access to such prescription drugs is often unobtainable to certain people confronting serious illnesses; and

Whereas, federal rules currently regulate uniform Medicare supplement insurance policies that are available for sale to people eligible for Medicare coverage; and

Whereas, coverage for prescription drugs through the federally regulated Medicare supplement insurance uniform A-J policies is very limited; now, therefore, be it

*Resolved*, That, We, your Memorialists, request that the United States Congress make a change to federal rules and regulations to allow the development of Medicare supplement insurance policies offering greater prescription drug coverage than is currently available; and be it further

*Resolved*, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George W. Bush, President of the United States, to the President of the United States Senate, to the Speaker of the House of Representatives of the United States and to each Member of the Maine Congressional Delegation.

POM-116. A resolution adopted by the Senate of the Legislature of the State of Pennsylvania relative to domestic violence; to the Committee on the Judiciary.

#### SENATE RESOLUTION

Whereas, Between 2 and 4 million women each year are victims of domestic violence nationally; and

Whereas, At least 800,000 Pennsylvanians are victims of domestic violence each year; and

Whereas, Domestic violence is a health care problem of epidemic proportions; and

Whereas, Medical professionals have a unique opportunity to intervene in domestic violence as they are often the first resource a battered victim seeks for help; and

Whereas, Health care providers can be a critical link to safety by offering support, information, education, resources and follow-up services to patients who are identified as victims of domestic violence; and

Whereas, Approximately only 10% of primary care physicians across the nation routinely screen for partner abuse when a patient is not currently injured; and

Whereas, The General Assembly recognized the importance of screening patients for symptoms of domestic violence in enacting Act 115 of 1998, which established the Domestic Health Care Response Program; and

Whereas, Act 115 of 1998 made Pennsylvania the first state in the nation to establish patient screening and advocacy programs in hospitals and health care systems; and

Whereas, The Family Violence Prevention Fund recognized Pennsylvania as the only state to receive an "A" grade for laws regarding health care response to domestic violence; and

Whereas, A team from Pennsylvania has joined teams from 14 other states and tribes and the Family Violence Prevention Fund to

create innovative and sustainable health care responses to domestic violence on a national level through the National Health Care Standards Campaign; therefore be it

*Resolved*, That the Senate of the Commonwealth of Pennsylvania recognize June 12, 2001, as "National Domestic Violence Health Care Standards Campaign Kick-Off Day" in Pennsylvania; and be it further

*Resolved*, That the Senate encourage Pennsylvanians and health care professionals in this Commonwealth to learn more about the causes, signs, prevention and treatment for domestic violence; and be it further

*Resolved*, That the Senate urge the Congress of the United States to recognize the "National Domestic Violence Health Care Standards Campaign and to promote the screening of patients for domestic violence by health care professionals across the nation; and be it further

*Resolved*, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-117. A resolution adopted by the Senate of the Legislature of the State of Pennsylvania relative to water pollution; to the Committee on Appropriations.

#### SENATE RESOLUTION

Whereas, The biggest water pollution problem facing the Commonwealth of Pennsylvania today is polluted water draining from abandoned coal mines; and

Whereas, More than half the streams that do not meet water quality standards in this Commonwealth are affected by mine drainage; and

Whereas, This Commonwealth has more than 250,000 acres of abandoned mine lands, refuse banks and old mine shafts in 45 of the 67 counties, more than any other state in the nation; and

Whereas, The Department of Environmental Protection estimates it will cost more than \$15 billion to reclaim and restore abandoned mine lands; and

Whereas, The Commonwealth now receives about \$20 million a year from the Federal Government to do reclamation projects; and

Whereas, There is now a \$1.5 billion balance in the Federal Abandoned Mine Reclamation Trust Fund that is set aside by law to take care of pollution and safety problems caused by old coal mines; and

Whereas, Pennsylvania is the fourth largest coal-producing state in the nation, and coal operators contribute significantly to the fund by paying a special fee for each ton of coal they mine; and

Whereas, The Department of Environmental Protection and 39 county conservation districts through the Western and Eastern Pennsylvania Coalitions for Abandoned Mine Reclamation have worked as partners to improve the effectiveness of mine reclamation programs; and

Whereas, Pennsylvania is not seeking to rely on the Federal appropriation to solve the abandoned mine lands problem in this Commonwealth and has enacted the Growing Greener program which has provided additional money for mine reclamation activities; and

Whereas, Pennsylvania has been working with the Interstate Mining Compact Commission, the National Association of Abandoned Mine Land Programs and other states to free more of these funds to clean up abandoned mine lands; and

Whereas, Making more funds available to states for abandoned mine reclamation should preserve the interest revenues now being made available for the United Mine Workers Combined Benefit Fund; and

Whereas, The Federal Office of Surface Mining, the United States Environmental

Protection Agency and the Congress have not agreed to make more funds available to states for abandoned mine reclamation; therefore be it

*Resolved*, That the Senate of the Commonwealth of Pennsylvania urge the President and Congress of the United States to make the \$1.5 billion of Federal moneys already earmarked for abandoned mine land reclamation available to states to clean up and make safe abandoned mine lands; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States, to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-118. A concurrent resolution adopted by the House of the Legislature of the State of Louisiana relative to the Estuary Restoration Act of 2000; to the Committee on Appropriations.

#### HOUSE CONCURRENT RESOLUTION NO. 167

Whereas, the estuaries and coastal wetlands are vital to the ecological, cultural, and economic well-being of the state of Louisiana as well as many other states; and

Whereas, the estuaries and wetlands have been deteriorating and action must be taken to restore and protect these important resources if they are to survive; and

Whereas, the state of Louisiana, in cooperation with its federal and local partners, has developed the Coast 2050 plan which provides a blueprint for restoring its coast; and

Whereas, the Congress of the United States has enacted the Estuary Restoration Act of 2000 to provide resources and assistance for coastal and estuary restoration; and

Whereas, the Estuary Restoration Act of 2000 also empowers communities, volunteers, businesses, landowners, and public interest groups to become stewards of coastal and wetland restoration; and

Whereas, the Estuary Restoration Act currently authorizes up to fifty million dollars in this fiscal year for coastal restoration: Therefore, be it

*Resolved* that the Legislature of Louisiana does hereby memorialize the Congress of the United States to fully fund the Estuary Restoration Act of 2000; and be it further

*Resolved* that a copy of this Concurrent Resolution be transmitted to the presiding officers of the House of Representatives and the Senate of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-119. A concurrent resolution adopted by the House of the Legislature of the State of Louisiana relative to the Gulf Hypoxia Action Plan; to the Committee on Energy and Natural Resources.

#### HOUSE CONCURRENT RESOLUTION NO. 129

Whereas, the Gulf of Mexico and the coast of Louisiana are important natural resources of the state of Louisiana and the nation; and

Whereas, by House Concurrent Resolution No. 47 of the 2000 Regular Session, the Louisiana Legislature expressed its concern about the hypoxic zone in the Gulf of Mexico, its biological and economic impacts, and the risk that it poses to the ecology, economy, and culture and way of life of Louisiana; and

Whereas, House Concurrent Resolution No. 47 memorialized the Gulf of Mexico/Mississippi River Watershed Nutrient Task Force to find timely, effective, and workable solutions to the hypoxia problem; and

Whereas, the task force, composed of representatives from key federal agencies and states along the Mississippi River, has reached consensus on an Action Plan for Controlling, Mitigating, and Reducing Gulf Hypoxia; and

Whereas, the Action Plan provides for incentive-based, voluntary actions for non-point sources of nitrogen loading into the river, and for enforcement of existing laws and regulations for point sources throughout the watershed, as well as expanded monitoring and research into the Gulf hypoxia issue; and

Whereas, in addition to the restoration and protection of the waters of the Gulf of Mexico and the states and tribal lands within the Mississippi River Watershed, the Action Plan seeks to improve the quality of life and economic conditions for communities across the watershed; and

Whereas, implementation of the Action Plan will not only protect the health and productivity of Louisiana's Gulf fisheries, but will also aid other important goals of the state, including coastal restoration and farm support: Therefore, be it

*Resolved* that the Legislature of Louisiana does hereby urge and request the President of the United States and memorialize the Congress of the United States to fully implement the Gulf Hypoxia Action Plan in cooperation with the Gulf of Mexico/Mississippi River Watershed Nutrient Task Force; and be it further

*Resolved* that a copy of this Resolution be transmitted to the White House and to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each of the members of the Louisiana congressional delegation.

POM-120. A concurrent resolution adopted by the House of the Legislature of the State of Louisiana relative to the Southern Dairy Compact; to the Committee on the Judiciary.

#### HOUSE CONCURRENT RESOLUTION NO. 93

Whereas, a dairy compact is an entity by which state delegations consisting of dairy farmers and other interested parties band together to help the dairy industries in member states; and

Whereas, the purpose of a dairy compact is to provide a safety net to dairy farmers by maintaining stable milk prices; and

Whereas, having stable milk prices is important because the volatility in fluid milk prices in the past few years has dealt a severe blow to the Louisiana dairy industry; and

Whereas, under current conditions, Louisiana is losing one to two dairies per week; and

Whereas, a Northern Dairy Compact was started approximately two years ago and has been very successful in aiding the dairy industry in that region of the United States; and

Whereas, a resolution is pending before congress to ratify a Southern Dairy Compact of which Louisiana hopes to become a member; and

Whereas, dairy compacts operate at no government expense and are funded by the farmers and processors of the dairy compact region: Therefore, be it

*Resolved* that the Legislature of Louisiana does hereby memorialize the United States Congress to ratify the Southern Dairy Compact; and be it further

*Resolved* that a copy of this Resolution be transmitted to the presiding officers of the Senate and House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-121. A concurrent resolution adopted by the House of the Legislature of the State of Louisiana relative to the United States Army Corps of Engineers; to the Committee on Environment and Public Works.

#### HOUSE CONCURRENT RESOLUTION NO. 24

Whereas, the United States Army Corps of Engineers is proposing the construction of the Inner Harbor Navigation Canal Lock Replacement Project; and

Whereas, the project will increase the size and number of vessels using this waterway; and

Whereas, given the data supplied by the Corps of Engineers, New Orleans District, the project will result in longer and more frequent bridge openings at St. Claude Avenue (LA 49) and Claiborne Avenue (LA 39) exacerbating existing traffic flow problems and delays for emergency medical transportation to the primary trauma care center in New Orleans, Louisiana; and

Whereas, the new Inner Harbor Navigation Canal lock proposed by the Corps of Engineers will be located on the north side of Claiborne Avenue; and

Whereas, considering that this new lock will accommodate fifteen large river barges or a nine hundred to twelve hundred foot-long, deep-draft ocean vessel as compared to the existing lock, which can hold only four barges or a deep-draft vessel of six hundred feet or less; and

Whereas, the longer tows and deep-draft vessels will require that both the St. Claude and Claiborne Avenue bridges remain open for longer periods to permit passage and that the Claiborne Avenue Bridge must be opened much more frequently than at present because of the location of the new lock; and

Whereas, the tows and larger deep-draft vessels must be moved at slower speeds, as compared to vessels currently using the lock, which will further extend the required bridge openings; and

Whereas, after analysis, it appears that such required bridge openings will occur six times per day and each will cause at least a three-mile long traffic jam which will create grave hardships for the St. Bernard Parish and Orleans Parish residents as well as all others who are among the eighty-five thousand motorists who use these bridges each day; and

Whereas, the United States Corps of Engineers' traffic study included in the project evaluation report appears to be based upon data which might lead to serious incorrect conclusions and that said study was used as the basis for the selection of the new bridge for St. Claude Avenue and the revisions now proposed for the Claiborne Avenue Bridge; and

Whereas, the magnitude of the traffic problem and the possibility that an erroneous selection of bridges may one day require the state of Louisiana to completely fund necessary corrections to this federal project are concerns of the legislature. Therefore be it

*Resolved*, that the Louisiana Legislature does hereby memorialize the United States Congress to take all steps necessary to replace the proposed St. Claude Avenue Bridge (LA 49) and the Claiborne Avenue Bridge (LA 39), in conjunction with the Inner Harbor Navigation Canal Lock Replacement Project, with tunnels or fixed, high-rise bridges to benefit residents of St. Bernard, Orleans, and Plaquemines parishes and the maritime industry and to withhold all future funding of the lock replacement project until the matter is reviewed and resolved by qualified members of the Louisiana Department of Transportation and Development, the United States Coast Guard, and local representatives of the barge transportation industry; and be it further

*Resolved*, that the Louisiana Legislature requests our federal elected officials to request the United States Army Corps of Engineers to consider tunnels or fixed high-rise bridges, which are the canal crossing solutions preferred for this project by both the

shipping industry and state motorists because either would eliminate the need for bridge curfews and provide for the uninterrupted flow of marine and vehicular traffic; and be it further

*Resolved*, that the Louisiana Legislature memorializes the United States Congress to make resumption of federal funding for this project contingent on the completion of a traffic study and that the project evaluation report be rewritten to include such crossings if warranted by the traffic study review; and be it further

*Resolved*, that a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-122. A concurrent resolution adopted by the House of the Legislature of the State of Louisiana relative to Maurepas Swamp diversion from the Mississippi River; to the Committee on Appropriations.

#### HOUSE CONCURRENT RESOLUTION No. 86

Whereas, many of the swamps, marshes, and estuarine ecosystems of the southeastern part of Louisiana were created by the Mississippi River and were nourished by the freshwater sediment and nutrients from the river; and

Whereas, these ecosystems have been declining since the river was levied for flood control and navigation which deprived them of the river's nourishment; and

Whereas, freshwater, diversion has become an important tool in restoring coastal wetlands and combating erosion and saltwater intrusion; and

Whereas, a river diversion into the Maurepas Swamp and Lake Maurepas has been proposed which would introduce fresh water and sediment directly into the swamp, an area where the forests are ailing from lack of nutrients and sediments; and

Whereas, such a river diversion into the Maurepas Swamp would also combat saltwater intrusion on the fringes of the area and help sustain and restore marshes that are now dying, subsiding, and breaking up; and

Whereas, a diversion located at the Hope Canal near Garyville could be designed to encourage water to fan out over a very broad area allowing the swamp to assimilate the river's nutrients and sediments, therefore minimizing the threat of algal blooms in lake Maurepas; and

Whereas, on occasion of heavy local rains, the diversion structure could be closed and the canal would then help to convey storm water runoff which is an aspect of the project that is very appealing to St. John the Baptist Parish officials concerned about flood control; and

Whereas, the issues that have been encountered in the operation of other diversion projects, such as dramatic changes in salinity that have concerned oyster growers and commercial fishermen, should not be a problem with the Maurepas Swamp diversion because the area directly influenced by the diversion is essentially a freshwater estuarine system: Therefore, be it

*Resolved* that the Legislature of Louisiana does hereby memorialize the United States Congress to support, with funding, the expeditious implementation of the proposed Maurepas Swamp diversion from the Mississippi River; and be it further

*Resolved* that a copy of this Resolution be transmitted to the presiding officers of the Senate and House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

#### 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. CONRAD (for himself, Mr. NICKLES, Mr. BREAUX, Mr. DORGAN, Mr. FITZGERALD, Mr. HATCH, Mr. HELMS, Mr. HUTCHINSON, Mr. JOHNSON, Mr. KYL, Mr. SCHUMER, Mr. TORRICELLI, and Mrs. LINCOLN):

S. 1087. A bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period of the depreciation of certain leasehold improvements; to the Committee on Finance.

By Mr. ROCKEFELLER (for himself and Mr. SPECTER):

S. 1088. A bill to amend title 38, United States Code, to facilitate the use of educational assistance under the Montgomery GI Bill for education leading to employment in high technology industry, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ROCKEFELLER:

S. 1089. A bill to amend section 7253 of title 38, United States Code, to expand temporarily the United States Court of Appeals for Veterans Claims in order to further facilitate staggered terms for judges on that court, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ROCKEFELLER (for himself and Mr. SPECTER):

S. 1090. A bill to increase, effective as of December 1, 2001, the rates of compensation for veterans with service-connected disabilities and the rates dependency and indemnity compensation for the survivors of certain disabled veterans; to the Committee on Veterans' Affairs.

By Mr. ROCKEFELLER (for himself, Mr. DASCHLE, and Mr. SPECTER):

S. 1091. A bill to amend section 1116 of title 38, United States Code, to modify and extend authorities on the presumption of service-connection for herbicide-related disabilities of Vietnam era veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GRAMM:

S. 1092. A bill to amend the Internal Revenue Code of 1986 to exempt feed truck chassis from excise tax on heavy trucks and trailers; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 1093. A bill to amend title 38, United States Code, to exclude certain income from annual income determinations for pension purposes, to limit provision of benefits for fugitive and incarcerated veterans, to increase the home loan guaranty amount for construction and purchase of homes, to modify and enhance other authorities relating to veterans' benefits, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. HUTCHISON (for herself, Ms. MIKULSKI, Mrs. MURRAY, and Mr. INOUE):

S. 1094. A bill to amend the Public Health Service Act to provide for research, information, and education with respect to blood cancer; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER (for herself and Mr. REID):

S.J. Res. 17. A joint resolution providing for congressional disapproval of the rule submitted by the President relating to the restoration of the Mexico City Policy; to the Committee on Foreign Relations.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. CAMPBELL:

S. Res. 114. A resolution commemorating the 125th anniversary of the Battle at Little Bighorn; to the Committee on the Judiciary.

By Mr. MCCONNELL (for himself, Mr. LEAHY, and Mr. BIDEN):

S. Res. 115. Resolution encouraging a lasting cease-fire in Macedonia, commending the parties for seeking a political solution, and for other purposes; to the Committee on Foreign Relations.

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

S. Con. Res. 54. A concurrent resolution authorizing the Rotunda of the Capitol to be used on July 26, 2001, for a ceremony to present Congressional Gold Medals to the original 29 Navajo Code Talkers; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 145

At the request of Mr. THURMOND, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 145, a bill to amend title 10, United States Code, to increase to parity with other surviving spouses the basic annuity that is provided under the uniformed services Survivor Benefit Plan for surviving spouses who are at least 62 years of age, and for other purposes.

S. 270

At the request of Mr. BINGAMAN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 270, a bill to amend title XVIII of the Social Security Act to provide a transitional adjustment for certain sole community hospitals in order to limit any decline in payment under the prospective payment system for hospital outpatient department services.

S. 535

At the request of Mr. BINGAMAN, the names of the Senator from Georgia (Mr. MILLER) and the Senator from Oregon (Mr. SMITH) were added as cosponsors of S. 535, a bill to amend title XIX of the Social Security Act to clarify that Indian women with breast or cervical cancer who are eligible for health services provided under a medical care program of the Indian Health Service or of a tribal organization are included in the optional medicaid eligibility category of breast or cervical cancer patients added by the Breast and Cervical Cancer Prevention and Treatment Act of 2000.

S. 571

At the request of Mr. THURMOND, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 571, a bill to provide for the location of the National Museum of the United States Army.

S. 626

At the request of Mr. JEFFORDS, the name of the Senator from Maryland