

Hague Convention on Intercountry Adoption, a landmark international treaty setting standards for adoption that will protect the interests of children and families everywhere in the world. The Senate ratified the treaty, and Congress passed legislation to implement it.

We expect our federal agencies involved in international adoption to work toward these goals with all sending countries, whether they have signed the treaty or not. These are important policy goals for our government, but what is more important, they will help bring waiting children everywhere together with the families who will love them forever.

They also will help prevent situations like the Cambodian dilemma from ever happening again. Before last December, our country had never placed a moratorium on adoptions out of a foreign country, and I think it is safe to say that anyone who knows anything about the Cambodian moratorium hopes our country never takes such an action again. In fact, some of us in Congress have worked on legislation to that end.

This surely must be the hope of every family whose adoption was caught in the moratorium. Mr. President, the anguish these families have endured is indescribable. I do not think a day has passed when they have not pressed the Cambodian and American governments for a resolution to enable them to bring their children home to the United States. They know all too well what an enormous impact government policies can have on human lives and futures.

I hope that some day, Tilly's parents will tell her the true story of how hard they worked, every day, to bring her home how sad they were every time the answer was "not yet," how they traveled all the way to Cambodia just to see and hold her, and how overjoyed they were when they finally got the call to bring their daughter home.

And when they tell her that story, I hope they also share with her the fact that there were people across the nation and around the world who also cared, and worried about her, and were trying to help her and her family. In the United States Senate, the House of Representatives, the Department of State, the Immigration and Naturalization Service, and our embassies, people knew about Tilly and were working to remove the obstacles that kept this family apart, while still carrying out the requirements of the law. The White House played a critical role, providing extraordinary leadership and resources to resolve this complicated situation. The commitment this Administration has made to all of these families and their children is truly remarkable and should be commended. The humanitarian initiative has made tremendous progress, and none of this could have happened without the dedicated efforts of all these individuals, working together.

I realize the resolution of the Cambodian adoption crisis cannot come fast enough for the families involved, and some will never accept or forgive the decision that was made last December, or the amount of time that has passed. To them, I pledge to see this initiative through and work for reforms so that no other families are put in this predicament again. To the many government officials who are working in the field or in Washington, D.C. on this initiative, I encourage you to persevere in this very important effort; you are making a lasting difference in the lives of these families and their children.

And to Tilly, a very happy welcome to Idaho—at last.

#### SPINA BIFIDA

Mr. COCHRAN. Mr. President, I am pleased today to pay tribute to the more than 70,000 Americans and their family members who are currently affected by Spina Bifida, the Nation's most common permanently disabling birth defect. I also want to compliment the Spina Bifida Association of America, an organization that was founded in 1973 to address the needs of the individuals and families affected by Spina Bifida and which is currently the only national organization dedicated solely to advocating on behalf of the Spina Bifida community.

Spina Bifida is a neural tube defect that occurs when the central nervous system does not properly close during the early stages of pregnancy. Spina Bifida affects more than 4,000 pregnancies each year, but with proper medical care, people who suffer from Spina Bifida can lead full and productive lives. Today, approximately 90 percent of all babies diagnosed with this birth defect live into adulthood, approximately 80 percent have normal IQs, and approximately 75 percent participate in sports and other recreational activities. However, they must learn how to move using braces, crutches or wheelchairs, and how to function independently. The challenge now is to ensure that these individuals have the highest quality of life possible and to prevent future cases of Spina Bifida.

Congress has done much to deal with the challenges posed by Spina Bifida including providing funding to establish a National Spina Bifida Program at the Centers for Disease Control and Prevention. I was pleased the Senate recently adopted the "Birth Defects and Developmental Disabilities Prevention Act of 2002," which takes important steps to improve the quality of life for individuals and families affected by Spina Bifida.

I also want to thank the Spina Bifida Association of Mississippi for all it has done for the families in our State who are affected by this condition. Specifically, I commend Susan Branson, the president of the Spina Bifida Association of Mississippi, for her dedication

and commitment to helping families like her own who each day face the joys and challenges of having a child with Spina Bifida. In October, which was designated as National Spinal Bifida Awareness Month, Susan and her husband, Alan, and their 4-year-old daughter, Abigail, visited Washington and met with me. The Bransons live in Jackson, Mississippi, and in addition to Abigail they have four other children. We talked about their family's experience with having a child with Spina Bifida. When Abigail was born they were told that she would never be able to walk. Today, due to her and her parents' vigilance, advocacy, and commitment, Abigail can now walk with the aid of braces and a walker.

The Spina Bifida community and our nation have made great progress over the past three decades. Much work still needs to be done, but I am confident this organization and its chapters are up to the challenge.

#### CONGRESSMAN JOSEPH R. SKEEN

Mr. BINGAMAN. Mr. President, when this session of Congress ends, one member of New Mexico's congressional delegation will be retiring, and I rise to acknowledge his departure from public life and to express appreciation for his loyal service to our state and this nation.

JOE SKEEN has been involved in Republican politics in New Mexico for more than forty years, most of them as an elected official. He was in the State Senate for ten years, and while his two campaigns for governor in the 1970's were unsuccessful, he is one of the very few in the history of our country elected to the Congress as a write-in candidate. That occurred in 1980, and he has served his district in the House of Representatives for eleven terms, longer than any New Mexico House Member.

It cannot be said that JOE and I agree on even every fourth issue that comes down the pike, but we have worked well together on so much that matters to New Mexico. I have never doubted for a moment his devotion to what he thinks is right, nor have I doubted his ability to get the job done.

New Mexico is a small town in many ways, and while JOE and I were acquainted before either of us came to Washington, it was when I came here that we really got to know one another. I consider him, and his wife, Mary, to be friends, and am honored that they think the same of me.

They raise sheep on their ranch in Lincoln County, and I know JOE will be glad to get back home after having distinguished himself in the Congress, and representing his District so well.

We'll miss him.

#### THE REAL INTERSTATE DRIVER EQUITY ACT

Mr. TORRICELLI. Mr. President, the coming days will be historic for a large

number of small businesses that make up the luxury ground transportation industry. After much hard work from several members of the New Jersey Delegation and hundreds of constituents in New Jersey and around the country, the President will sign H.R. 2546, The Real Interstate Driver Equity Act. This Act will bring tremendous relief to those operators of the luxury ground transportation industry conducting interstate business.

Four years ago, two of my constituents Don Kensey of Au Premiere Limousine of Bellmawr, and James Moseley of James Limousine of Cherry Hill, approached my good friend Congressman Rob Andrews concerning the problem limousine operators in New Jersey were having with local jurisdictions in other States seizing and fining properly authorized vehicles upon picking up their clients to return them to New Jersey. Joining with many other limousine businesses in New Jersey and the National Limousine Association, our constituents organized a national grassroots campaign in the 106th Congress to educate the House and Senate. Today, the Congress is aware of the hardships faced by these small business owners across the country.

Because such a substantial portion of their service does not occur in a single State, limousine and other prearranged ground transportation service providers are frequently assessed registration and licensing fees by these other States. Enforcement of these requirements, which includes vehicle impoundment and heavy fines, has caused tremendous hardship to drivers and owners of these businesses, over 80% of which are one-to-three car operators grossing less than \$500,000 a year. I would note that these problems are especially hard on small businesses in New Jersey, which borders on two States with large cities and airports.

Indeed, I was shocked to hear that in one particularly egregious instance, the CEO of McGraw Hill Publishing was forced out of his limousine, which was seized in another State and told to find another way home. That was when Senator CORZINE and myself, along with Congressman ANDREWS decided to take action.

The Real Interstate Driver Equity Act simply prohibits States other than a home licensing State from enacting or enforcing a law requiring a fee or some other payment requirement on vehicles that provide prearranged transportation service. States and localities can no longer restrict limousine or sedan services if the service is registered with the Department of Transportation as an interstate carrier; the company meets all of the requirements of the State in which it is domiciled or do business; and the limousine or sedan service is engaged in providing pre-arranged transportation from one state to another, including round trips.

This Congress, through the hard work of our constituents, has finally

remedied this inequity in our interstate commerce law.

There were several other members who were instrumental in passing this legislation. I would like to thank Congressmen ROY BLUNT and ROB ANDREWS, who took the lead on H.R. 2546 in the House of Representatives and helped ensure its passage last year. In April of this year, with the assistance of my colleagues Senator HOLLINGS and Senator MCCAIN, the Commerce, Science and Transportation Committee passed H.R. 2546 unanimously. I am also most grateful to Senator REID, Senator BOND, and Senator CORZINE for their able assistance in passing this important small business legislation.

#### USE OF CUSTOMS FEES

Mr. DORGAN. Mr. President, there is an important provision in the Homeland Security Act of 2002 (H.R. 5710), that, if misinterpreted, could limit the ability of the U.S. Customs Service to effectively protect our borders.

Section 413 of this bill appropriately seeks to ensure that user fees that are currently used exclusively by the Customs Service for the purposes set out in 19 U.S.C. 58(c) will continue to be used for that sole purpose. These fees are paid by commercial vessels, aircraft, railroads and passengers that enter the U.S. This money is used to ensure that there will be Customs personnel available to clear these arriving goods and passengers efficiently when they arrive.

I am concerned that the wording of section 413 could be misconstrued since it merely states that these fees must be directed to the commercial operations of the Customs Service. I want to clarify that the intent of this provision is that these fees continue to be used for the purposes for which they were originally intended as set out in 19 U.S.C. 58(c). Additionally, I have consulted with Senator BAUCUS and Senator LIEBERMAN and they both agree with this view.

The work done by Customs inspectors at our ports of entry is critically important to our country's security and economic health. More than 1,100 Customs inspector positions, as well as overtime pay for Custom's employees, are currently funded out of the fees referred to in section 413. It is imperative that these fees continue to be used as intended. This statement serves as clarification that this is the purpose of section 413 of the Homeland Security bill being considered by the Senate.

#### BROWNFIELDS REVITALIZATION

Mr. BAUCUS. Mr. President, I rise today to highlight an issue of great importance to the people of my State and to people across this country.

Over the past several years, I worked closely with a number of my Senate colleagues to pass the Brownfields Revitalization and Environmental Restoration Act. Signed into law by the

President last year, this act is an innovative piece of legislation that will promote and accelerate the cleanup of hundreds of brownfield sites around the country.

The Brownfields Revitalization and Environmental Restoration Act passed with strong bipartisan support in both the House and the Senate. It will help states and local communities clean up the country's estimated 1,000,000 brownfield sites. These sites blight our communities, threaten public health and safety, and drain local tax bases.

I am proud of this legislation. It devotes desperately needed resources to address the environmental and economic challenges posed by brownfields.

Still, I remain convinced that there is much left to do. With an estimated 1,000,000 brownfield sites across this nation and new sites being discovered each day, the very best efforts of our government will be insufficient to tackle this growing concern in any reasonable period of time.

For that reason, I have begun exploring legislative options to encourage additional private capital investment in the remediation and redevelopment of our nation's brownfield sites. Such a solution would complement the Brownfields Revitalization and Environmental Restoration Act and could help us make great strides toward creating jobs and cleaning up the environment in communities across the country.

Over 60 percent of the institutional capital in the United States is held for investment by tax-exempt entities such as pension funds and university endowments. Given the risks associated with acquiring and cleaning up contaminated sites, it is no surprise that private investors are reluctant to invest large amounts of capital in brownfields cleanup and revitalization. Tax exempt entities are often prevented from engaging in brownfield cleanups because of the unrelated business taxable income, UBTI, provisions in the code.

The UBTI provisions of the tax code play an important role in ensuring that entities do not use their tax-exempt status to gain a competitive advantage in the marketplace over taxed entities. It is clear, however, that the free market is not moving to remediate and redevelop many of these sites, certainly not at a rate that will solve this problem during our lifetimes. It is my belief that without some additional stimulus, many of these sites will remain unattractive as business investments and will continue to languish and blight our communities.

If we were to allow tax-exempt entities to invest in the remediation and redevelopment of these sites without incurring UBTI, we may be able to create a powerful engine to help revitalize our Nation's brownfield sites. It also seems possible that we could accomplish these goals in this slowed economic climate with a solution that neither materially impacts revenues nor