

come to know truths that we will never question: Evil is real, and it must be opposed. Beyond all differences of race or creed, we are one country, mourning together and facing danger together. Deep in the American character, there is honor, and it is stronger than cynicism. Many have discovered again that even in tragedy—especially in tragedy—God is near.

In a single instant, we realized that this will be a decisive decade in the history of liberty—that we have been called to a unique role in human events. Rarely has the world faced a choice more clear or consequential.

Our enemies send other people's children on missions of suicide and murder. They embrace tyranny and death as a cause and a creed. We stand for a different choice—made long ago, on the day of our founding. We affirm it again today. We choose freedom and the dignity of every life.

Steadfast in our purpose, we now press on. We have known freedom's price. We have shown freedom's power. And in this great conflict, my fellow Americans, we will see freedom's victory.

Thank you, and may God bless the United States of America.

GEORGE BUSH.

THE WHITE HOUSE, January 29, 2002.

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

At 2:57 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1762. An act to amend the Higher Education Act of 1965 to establish fixed interest rates for student and parent borrowers, to extend current law with respect to special allowances for lenders, and for other purposes.

H.R. 700. An act to reauthorize the Asian Elephant Conservation Act of 1997.

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

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. BREAUX:

S. 1904. A bill to suspend temporarily the duty on railway electric multiple unit (EMU) gallery commuter coaches of stainless steel; to the Committee on Finance.

By Mr. ROCKEFELLER (by request):

S. 1905. A bill to amend title 38, United States Code, to enhance veterans' programs and the ability of the Department of Veterans Affairs to administer them; to the Committee on Veterans' Affairs.

By Mr. CLELAND (for himself and Mr. MILLER):

S. 1906. A bill to designate the facility of the United States Postal Service located at 3698 Inner Perimeter Road in Valdosta, Georgia, as the "Major Lyn McIntosh Post Office Building"; to the Committee on Governmental Affairs.

By Mr. SMITH of Oregon (for himself and Mr. WYDEN):

S. 1907. A bill to direct the Secretary of the Interior to convey certain land to the city of Haines, Oregon; to the Committee on Energy and Natural Resources.

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. Con. Res. 95. A concurrent resolution providing for conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives; considered and agreed to.

ADDITIONAL COSPONSORS

S. 540

At the request of Mr. DEWINE, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 540, a bill to amend the Internal Revenue Code of 1986 to allow as a deduction in determining adjusted gross income the deduction for expenses in connection with services as a member of a reserve component of the Armed Forces of the United States, to allow employers a credit against income tax with respect to employees who participate in the military reserve components, and to allow a comparable credit for participating reserve component self-employed individuals, and for other purposes.

S. 822

At the request of Mrs. MURRAY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 822, a bill to amend the Internal Revenue Code of 1986 to modify the treatment of bonds issues to acquire renewable resources on land subject to conservation easement.

S. 829

At the request of Mr. BROWNBACK, the name of the Senator from Missouri (Mrs. CARNAHAN) was added as a cosponsor of S. 829, a bill to establish the National Museum of African American History and Culture within the Smithsonian Institution.

S. 1067

At the request of Mr. GRASSLEY, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1067, a bill to amend the Internal Revenue Code of 1986 to expand the availability of Archer medical savings accounts.

S. 1476

At the request of Mr. CLELAND, the names of the Senator from Maryland (Ms. MIKULSKI), the Senator from Oregon (Mr. SMITH), and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 1476, a bill to authorize the President to award a gold medal on behalf of the Congress to Reverend Doctor Martin Luther King, Jr. (posthumously) and his widow Coretta Scott King in recognition of their contribu-

tions to the Nation on behalf of the civil rights movement.

S. 1516

At the request of Mr. SANTORUM, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 1516, a bill to remove civil liability barriers that discourage the donation of fire equipment to volunteer fire companies.

S. 1566

At the request of Mr. REID, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1566, a bill to amend the Internal Revenue Code of 1986 to modify and expand the credit for electricity produced from renewable resources and waste products, and for other purposes.

S. 1644

At the request of Mr. CAMPBELL, the names of the Senator from North Dakota (Mr. CONRAD), the Senator from Kentucky (Mr. MCCONNELL), and the Senator from Florida (Mr. GRAHAM) were added as cosponsors of S. 1644, a bill to further the protection and recognition of veterans' memorials, and for other purposes.

S. 1707

At the request of Mr. JEFFORDS, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of 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.

S. 1895

At the request of Mr. FITZGERALD, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1895, a bill to require investment advisers to make prominent public disclosures of ties with companies being analyzed by them, and for other purposes.

AMENDMENT NO. 2702

At the request of Mr. ALLEN, the names of the Senator from North Carolina (Mr. HELMS), the Senator from Virginia (Mr. WARNER), and the Senator from Maine (Ms. COLLINS) were added as cosponsors of amendment No. 2702.

At the request of Mr. CORZINE, his name was added as a cosponsor of amendment No. 2702 supra.

AMENDMENT NO. 2717

At the request of Ms. COLLINS, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of amendment No. 2717 proposed to H.R. 622, a bill to amend the Internal Revenue Code of 1986 to expand the adoption credit, and for other purposes.

AMENDMENT NO. 2718

At the request of Mr. BAUCUS, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of amendment No. 2718.

At the request of Mrs. CLINTON, her name was added as a cosponsor of amendment No. 2718 supra.

AMENDMENT NO. 2719

At the request of Mr. JOHNSON, his name was added as a cosponsor of amendment No. 2719.

AMENDMENT NO. 2722

At the request of Mr. ALLARD, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of amendment No. 2722.

At the request of Mr. JOHNSON, his name was added as a cosponsor of amendment No. 2722 supra.

AMENDMENT NO. 2723

At the request of Mr. DOMENICI, the names of the Senator from Missouri (Mr. BOND) and the Senator from Tennessee (Mr. FRIST) were added as cosponsors of amendment No. 2723.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROCKEFELLER (by request):

S. 1905. A bill to amend title 38, United States Code, to enhance veterans' programs and the ability of the Department of Veterans Affairs to administer them; to the Committee on Veterans' Affairs.

Mr. ROCKEFELLER. Mr. President, today I introduce legislation requested by the Secretary of Veterans Affairs, as a courtesy to the Secretary and the Department of Veterans Affairs, VA. Except in unusual circumstances, it is my practice to introduce legislation requested by the Administration so that such measures will be available for review and consideration.

This "by-request" bill would, among other things, include care for newborn children of women veterans provided by a contract provider among those medical services VA is allowed to provide, authorize VA to provide dental care to former Prisoners of War, POW, and change the definition of "minority veterans" to conform to the new Race & Ethnic Standards used in Federal statistical reporting and in the 2000 U.S. Census.

I ask unanimous consent that the text of the bill and Secretary Principi's transmittal letter that accompanied the draft legislation be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1905

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TABLE OF CONTENTS.

(a) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Table of contents.

Sec. 2. References to title 38, United States Code.

TITLE I—VETERANS HEALTH-CARE IMPROVEMENTS

Sec. 101. Care for Newborn Children of Enrolled Women Veterans.

Sec. 102. Outpatient Dental Care for All Former Prisoners of War.

Sec. 103. Pay Comparability for Director, Nursing Service.

TITLE II—VETERANS' BENEFIT PROGRAMS

Sec. 201. Limitation on provision of certain benefits.

Sec. 202. Clarification of procedures regarding disqualification of certain individuals for memorialization in veterans cemeteries.

Sec. 203. Clarification of the period for appealing rulings of the Board of Veterans' Appeals.

TITLE III—VA PROGRAM ADMINISTRATION IMPROVEMENTS

Sec. 301. Repeal of Cap on Number of Non-Career Members of Senior Executive Service Serving in VA.

Sec. 302. Repeal of Preceding-Service Requirement for VA Deputy Assistant Secretaries.

Sec. 303. Revolving Supply Fund Amendments.

Sec. 304. Redefinition of "minority group member" in 38 U.S.C. §544(d).

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

TITLE I—VETERANS HEALTH-CARE IMPROVEMENTS

SEC. 101. CARE FOR NEWBORN CHILDREN OF ENROLLED WOMEN VETERANS.

Section 1701 is amended:

(a) in subsection (6),

(1) by striking out "and" at the end of paragraph (A);

(2) by adding "and" at the end of paragraph (B); and

(3) by adding at the end the following new paragraph:

"(C) care for newborn children.";

(b) by adding at the end the following new subsection:

"(11) The term "care for newborn children" means care provided to an infant of a woman veteran enrolled in the VA health care system. Such care may be provided until the mother is discharged from the hospital after delivery of the child or for 14 days after the date of birth of the child, whichever period is shorter, and only if the Department contracted for the delivery of the child."

SEC. 102. OUTPATIENT DENTAL CARE FOR ALL FORMER PRISONERS OF WAR.

Section 1712(a)(1)(F) is amended by striking out "for a period of not less than 90 days".

SEC. 103. PAY COMPARABILITY FOR DIRECTOR, NURSING SERVICE.

(a) Section 7306(a)(5) is amended by adding at the end thereof, "The position shall be exempt from the provisions of section 7451 of this title and shall be paid at the maximum rate payable to a Senior Executive Service employee under 5 U.S.C. §§5304(g) and 5382."

(b) Section 7404(d) is amended by deleting "section" the first time it appears and inserting in its place "sections 7306(a)(5) and".

TITLE II—VETERANS' BENEFIT PROGRAMS

SEC. 201. LIMITATION ON PROVISION OF CERTAIN BENEFITS.

(a) PROHIBITIONS.—(1) Section 112 is amended by adding at the end the following new subsection:

"(c) A certificate shall not be furnished under this program on behalf of a deceased veteran described in section 2411(b) of this title."

(2) Section 2301 is amended by adding at the end the following new subsection:

"(f) A flag shall not be furnished under this section on behalf of a deceased veteran described in section 2411(b) of this title."

(3) Section 2306 is amended by adding at the end the following new subsection:

"(f)(1) A headstone or marker shall not be furnished under subsection (a) for the unmarked grave of an individual described in section 2411(b) of this title.

"(2) A memorial headstone or marker shall not be furnished under subsection (b) for the purpose of commemorating an individual described in section 2411(b) of this title."

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to deaths occurring on or after the date of its enactment.

SEC. 202. CLARIFICATION OF PROCEDURES REGARDING DISQUALIFICATION OF CERTAIN INDIVIDUALS FOR MEMORIALIZATION IN VETERANS CEMETERIES.

Section 2411(a)(2) is amended—

(1) by striking "The prohibition" and inserting "In the case of a person described in subsection (b)(1) or (b)(2), the prohibition"; and

(2) by striking "or finding under subsection (b)" and inserting "referred to in subsection (b)(1) or (b)(2), respectively".

SEC. 203. CLARIFICATION OF THE PERIOD FOR APPEALING RULINGS OF THE BOARD OF VETERANS APPEALS.

(a) CLARIFICATION.—Paragraph (1) of section 7266(a) is amended by striking "notice of the decision is mailed pursuant to section 7104(e) of this title" and inserting "a copy of the decision, pursuant to section 7104(e) of this title, is mailed or sent to the claimant's representative or, if the claimant is not represented, mailed to the claimant".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply to Board of Veterans' Appeals decisions made on or after the date of enactment of this Act.

TITLE III—VA PROGRAM ADMINISTRATION IMPROVEMENTS

SEC. 301. REPEAL OF CAP ON NUMBER OF NON-CAREER MEMBERS OF SENIOR EXECUTIVE SERVING IN VA.

(a) Section 709(a) is repealed.

(b) Section 709 is amended by re-designating subsections (b) and (c) as subsections (a) and (b), respectively.

SEC. 302. REPEAL OF PRECEDING-SERVICE REQUIREMENT FOR VA DEPUTY ASSISTANT SECRETARIES.

(a) Section 308(d)(2) is repealed.

(b) Section 308 is amended by deleting "(1)" from subsection (d).

SEC. 303. REVOLVING SUPPLY FUND AMENDMENTS.

Section 8121(a) is amended—

(1) by adding "and for medical supplies, equipment, and services for the Department of Defense" after "Department";

(2) in paragraph (2), by adding "of the Department and the Department of Defense" after "appropriations"; and

(3) in paragraph (3), by adding "of the Department and the Department of Defense" after "appropriations".

SEC. 304. REDEFINITION OF "MINORITY GROUP MEMBER" IN 38 U.S.C. §544(d).

Section 544(d) is amended to read as follows:

"(d) In this section, the term "minority group member" means an individual who is—

(1) American Indian or Alaska Native;

(2) Asian;

(3) African American;

(4) Native Hawaiian or other Pacific Islander; or

(5) Hispanic, Spanish, or Latino."

THE SECRETARY OF VETERANS AFFAIRS,

Washington, DC, January 9, 2002.

Hon. RICHARD B. CHENEY,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: I am transmitting a draft bill to enhance a number of veterans'