

of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Pink Bollworm Regulated Areas; Removal of Oklahoma" (Doc. No. 02-031-1) received on May 17, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7179. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; New Hampshire; Post-1996 Rate of Progress Plans" (FRL7171-7) received on May 16, 2002; to the Committee on Environment and Public Works.

EC-7180. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Land Disposal Restrictions: Grating of Two Site-Specific Treatment Variances to U.S. Ecology Idaho, Incorporated in Grandview, Idaho and CWM Chemical Services, LLC in Model City, New York" (FRL7214-4) received on May 16, 2002; to the Committee on Environment and Public Works.

EC-7181. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil" (FRL7214-6) received on May 16, 2002; 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:

Report to accompany S. 1271, a bill to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small business concerns with certain Federal paperwork requirements, to establish a task force to examine information collection and dissemination, and for other purposes. (Rept. No. 107-153).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1742: A bill to prevent the crime of identity theft, mitigate the harm to individuals victimized by identity theft, and for other purposes.

## EXECUTIVE REPORT OF COMMITTEE

The following executive report of committee was submitted:

By Mr. SARBANES for the Committee on Banking, Housing, and Urban Affairs.

\*Anthony Lowe, of Washington, to be Federal Insurance Administrator, Federal Emergency Management Agency.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

## 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. BIDEN (for himself and Mr. SPECTER):

S. 2534. A bill to reduce crime and prevent terrorism at America's seaports; to the Committee on Finance.

By Mrs. BOXER:

S. 2535. A bill to designate certain public lands as wilderness and certain rivers as wild and scenic rivers in the State of California, to designate Salmon Restoration Areas, to establish the Sacramento River National Conservation Area and Ancient Bristlecone Pine Forest, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. STABENOW (for herself, Mr. DURBIN, Mr. LEAHY, Mr. JEFFORDS, Mrs. BOXER, Mr. LEVIN, Mr. DORGAN, Mr. SCHUMER, and Mr. JOHNSON):

S. 2536. A bill to amend title XIX of the Social Security Act to clarify that section 1927 of that Act does not prohibit a State from entering into drug rebate agreements in order to make outpatient prescription drugs accessible and affordable for residents of the State who are not otherwise eligible for medical assistance under the Medicaid program; to the Committee on Finance.

By Mr. DORGAN (for himself and Mr. ENSIGN):

S. 2537. A bill to facilitate the creation of a new, second-level Internet domain within the United States country code domain that will be a haven for material that promotes positive experiences for children and families using the Internet, provides a safe online environment for children, and helps to prevent children from being exposed to harmful material on the Internet, 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. SMITH of Oregon (for himself and Mr. WYDEN):

S. Res. 273. A resolution recognizing the centennial of the establishment of Crater Lake National Park; considered and agreed to.

By Mr. KENNEDY:

S. Con. Res. 115. A concurrent resolution expressing the sense of the Congress that all workers deserve fair treatment and safe working conditions, and honoring Dolores Huerta for her commitment to the improvement of working conditions for children, women, and farm worker families; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 281

At the request of Mr. HAGEL, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 281, a bill to authorize the design and construction of a temporary education center at the Vietnam Veterans Memorial.

S. 701

At the request of Mr. BAUCUS, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 701, a bill to amend the Internal Revenue Code of 1986 to provide special rules for the charitable deduction for conservation contributions of land by eligible farmers and ranchers, and for other purposes.

S. 782

At the request of Mr. ALLARD, his name was added as a cosponsor of S. 782, a bill to amend title III of the Americans with Disabilities Act of 1990 to require, as a precondition to commencing a civil action with respect to a place of public accommodation or a commercial facility, that an opportunity be provided to correct alleged violations, and for other purposes.

S. 871

At the request of Mr. CLELAND, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 871, a bill to amend chapter 83 of title 5, United States Code, to provide for the computation of annuities for air traffic controllers in a similar manner as the computation of annuities for law enforcement officers and firefighters.

S. 1140

At the request of Mr. HATCH, the name of the Senator from Indiana (Mr. BAYH) 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. 1152

At the request of Mr. DURBIN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1152, a bill to ensure that the business of the Federal Government is conducted in the public interest and in a manner that provides for public accountability, efficient delivery of services, reasonable cost savings, and prevention of unwarranted Government expenses, and for other purposes.

S. 1278

At the request of Mrs. LINCOLN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1278, a bill to amend the Internal Revenue Code of 1986 to allow a United States independent film and television production wage credit.

S. 1282

At the request of Mr. HATCH, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 1282, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income of individual taxpayers discharges of indebtedness attributable to certain forgiven residential mortgage obligations.

S. 1329

At the request of Mr. JEFFORDS, the names of the Senator from Ohio (Mr. DEWINE) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 1329, a bill to amend the Internal Revenue Code of 1986 to provide a tax incentive for land sales for conservation purposes.

S. 1339

At the request of Mr. CAMPBELL, the names of the Senator from Florida (Mr. NELSON), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Minnesota (Mr. DAYTON) were added as cosponsors of S. 1339, a bill to amend

the Bring Them Home Alive Act of 2000 to provide an asylum program with regard to American Persian Gulf War POW/MIAs, and for other purposes.

At the request of Mr. SANTORUM, his name was added as a cosponsor of S. 1339, *supra*.

S. 1742

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 1742, a bill to prevent the crime of identity theft, mitigate the harm to individuals victimized by identity theft, and for other purposes.

S. 1777

At the request of Mrs. CLINTON, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 1777, a bill to authorize assistance for individuals with disabilities in foreign countries, including victims of landmines and other victims of civil strife and warfare, and for other purposes.

S. 1839

At the request of Mrs. CLINTON, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 1839, a bill to amend the Bank Holding Company Act of 1956, and the Revised Statutes of the United States to prohibit financial holding companies and national banks from engaging, directly or indirectly, in real estate brokerage or real estate management activities, and for other purposes.

S. 1859

At the request of Mr. SCHUMER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1859, a bill to extend the deadline for granting posthumous citizenship to individuals who die while on active-duty service in the Armed Forces.

S. 1867

At the request of Mr. LIEBERMAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1867, a bill to establish the National Commission on Terrorist Attacks Upon the United States, and for other purposes.

S. 1924

At the request of Mr. SANTORUM, the names of the Senator from Colorado (Mr. ALLARD) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 1924, a bill to promote charitable giving, and for other purposes.

S. 1957

At the request of Mr. WARNER, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1957, a bill to amend the Internal Revenue Code of 1986 to provide for additional designations of renewal communities.

S. 1991

At the request of Mr. HOLLINGS, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 1991, to establish a national rail passenger transportation system, reauthorize Amtrak, improve security and service on Amtrak, and for other purposes.

S. 2017

At the request of Mr. CAMPBELL, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2017, a bill to amend the Indian Financing Act of 1974 to improve the effectiveness of the Indian loan guarantee and insurance program.

S. 2085

At the request of Ms. COLLINS, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2085, a bill to amend title XVIII of the Social Security Act to clarify the definition of homebound with respect to home health services under the medicare program.

S. 2116

At the request of Mr. KERRY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2116, a bill to reform the program of block grants to States for temporary assistance for needy families to help States address the importance of adequate, affordable housing in promoting family progress towards self-sufficiency, and for other purposes.

S. 2215

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 2215, a bill to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil, and by so doing hold Syria accountable for its role in the Middle East, and for other purposes.

S. 2249

At the request of Mrs. CLINTON, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2249, a bill to amend the Public Health Service Act to establish a grant program regarding eating disorders, and for other purposes.

S. 2317

At the request of Mr. DURBIN, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 2317, a bill to provide for fire safety standards for cigarettes, and for other purposes.

S. 2428

At the request of Mr. KERRY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2428, a bill to amend the National Sea Grant College Program Act.

S. 2430

At the request of Mr. NICKLES, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 2430, a bill to provide for parity in regulatory treatment of broadband services providers and of broadband access services providers, and for other purposes.

S. 2444

At the request of Mr. KENNEDY, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of

S. 2444, a bill to amend the Immigration and Nationality Act to improve the administration and enforcement of the immigration laws, to enhance the security of the United States, and to establish the Office of Children's Services within the Department of Justice, and for other purposes.

S. 2484

At the request of Mr. BAUCUS, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 2484, a bill to amend part A of title IV of the Social Security Act to reauthorize and improve the operation of temporary assistance to needy families programs operated by Indian tribes, and for other purposes.

S. 2489

At the request of Mrs. CLINTON, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2489, a bill to amend the Public Health Service Act to establish a program to assist family caregivers in accessing affordable and high-quality respite care, and for other purposes.

S. 2492

At the request of Mr. CLELAND, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 2492, a bill to amend title 5, United States Code, to require that agencies, in promulgating rules, take into consideration the impact of such rules on the privacy of individuals, and for other purposes.

S. 2505

At the request of Mr. KENNEDY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2505, a bill to promote the national security of the United States through international educational and cultural exchange programs between the United States and the Islamic world, and for other purposes.

S. 2525

At the request of Mr. KERRY, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 2525, a bill to amend the Foreign Assistance Act of 1961 to increase assistance for foreign countries seriously affected by HIV/AIDS, tuberculosis, and malaria, and for other purposes.

S. CON. RES. 77

At the request of Mr. MCCONNELL, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. Con. Res. 77, a concurrent resolution expressing the sense of the Congress that a postage stamp should be issued to honor coal miners.

S. CON. RES. 107

At the request of Mr. CRAIG, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. Con. Res. 107, a concurrent resolution expressing the sense of Congress that Federal land management agencies should fully support the Western Governors Association "Collaborative 10-year Strategy for Reducing Wildland Fire Risks to Communities and the Environment," as signed August 2001, to

reduce the overabundance of forest fuels that place national resources at high risk of catastrophic wildfire, and prepare a National prescribed Fire Strategy that minimizes risks of escape.

#### AMENDMENT NO. 3430

At the request of Mr. KERRY, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of amendment No. 3430 proposed to H.R. 3009, a bill to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes.

#### AMENDMENT NO. 3431

At the request of Mrs. BOXER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 3431 proposed to H.R. 3009, a bill to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes.

#### AMENDMENT NO. 3433

At the request of Mr. REID, his name was added as a cosponsor of amendment No. 3433 proposed to H.R. 3009, a bill to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes.

### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

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

S. 2534. A bill to reduce crime and prevent terrorism at America's seaports; to the Committee on Finance.

Mr. BIDEN. Mr. President, I rise today to introduce the "Reducing Crime and Terrorism at America's Seaports Act." This important legislation will update Federal law to address critical security issues at seaports in the United States and, in concert with recent efforts by my good friend Senator HOLLINGS and others, will help keep America safe and secure.

Last October, I chaired a hearing of the Senate Judiciary Subcommittee on Crime and Drugs on "Defending America's Transportation Infrastructure." At the hearing, we heard testimony from experts that confirmed what many of us have known and preached for years: this Nation's transportation infrastructure, our railways, our highways, our seaports, is especially vulnerable to terrorist threats and other nefarious activity. Our trains, trucks and sea vessels, and the systems that carry them, are ripe targets and, if compromised, could jeopardize American lives and devastate the American economy.

The U.S. Government has known of this tremendous vulnerability but, until the tragic events of September 11, assessed the risk of an actual attack, at least with respect to seaports, as relatively low. Well, we all know how mistaken that assessment is now. While no one can predict with certainty where the next attack might be,

most clear thinkers agree that there will be another attempt. The real question before us is will we cower in a web of fear and bureaucratic inaction, or will we focus on creative problem-solving, building partnerships, and collaboratively fighting the well-funded and well-organized network of criminals that seek to topple us. The choice, my friends, is clear.

In the aftermath of September 11, Congress moved expeditiously to bridge the gaps in homeland security, passing landmark anti-terrorism legislation, strengthening security at airports, and providing additional funding for emergency law enforcement and domestic preparedness. Despite our early efforts, however, there is much that remains to be done. We have tackled the obvious and the easy. We must now move as swiftly to resolve the more difficult, but no less pressing, problems. And, as gateways to our largest cities and industries, the protection of U.S. seaports must be at the top of our priority list.

Failing to protect our Nation's ports will jeopardize American lives, as well as property. It threatens to undermine national security, especially where terrorists and other criminals illegally traffic weapons, munitions and critical technology. And it will significantly disrupt the free and steady flow of commerce.

Let me say a word about the threat to commerce. Ports connect American consumers with global products, and U.S. farmers and manufacturers with overseas markets. The U.S. marine transportation system moves more than 2 billion tons of domestic and international freight and imports 3.3 billion tons of oil. By some estimates, the port industry generates more than 13 million jobs and \$494 billion in personal income; it contributes nearly \$743 billion to the Nation's gross domestic product, and \$200 billion in Federal, State and local taxes. These extraordinary numbers underscore the critical role that seaports play in fueling economic growth. More importantly, they make the point, more forcefully than any number of speeches or platitudes, that port security will be a key element to building and sustaining a stable national economy.

With that in mind, I introduce legislation today that would substantially improve the inadequate protections currently contained in the Federal code: first, the effectiveness of Federal, State and local efforts to secure ports is compromised in part by criminals' ability to evade detection by under-reporting and misreporting the content of cargo, with little more than a slap on the wrist, if that. The existing statutes simply do not provide adequate sanctions to deter criminal or civil violations. As a consequence, vessel manifest information is often wrong or incomplete, and our ability to assess risks, make decisions about which containers to inspect more closely, or simply control the movement of cargo is

made virtually impossible. This bill would substantially increase the penalties for non-compliance with these reporting requirements.

Second, we know that cargo is especially vulnerable to theft once it arrives at shore and is transported between facilities within a seaport. To deter such larceny, this bill would significantly increase penalties for theft of goods from Customs' custody.

Third, there currently exists no standard system for safeguarding cargo; no requirement that all containers be sealed; and no consistent guidance or protocol to direct action in the event that a container's seal is compromised. This legislation would require the U.S. Customs Service to develop a uniform system of securing or sealing at loading all containers originating in or destined for the U.S.

Fourth, my friends at the Customs Service tell me that their ability to conduct "sting" operations to detect illicit arms trafficking is significantly curtailed by onerous pre-certification requirements. This bill would give Customs agents the flexibility they need to conduct these investigations where American lives and property are threatened.

Fifth, the bill would impose strict criminal penalties for the use of a dangerous weapon or explosive with the intent to cause death or serious bodily injury at a seaport. Notably, such a provision already exists with respect to international airports and other mass transportation systems. If my bill is enacted, we would take the common-sense step of extending that same coverage to seaports.

Finally, while by all accounts the amount of crime at U.S. seaports is great, there exists no national data collection and reporting systems that capture the magnitude of serious crime at seaports. Indeed, the Interagency Commission on Crime and Security in U.S. Seaports concluded that it was unable to determine the full extent of serious crime at the nation's 361 seaports, primarily because there is no consolidated database. This legislation would help correct this dearth of reliable information by authorizing pilot programs at several seaports that would enable victims to report cargo theft and direct the Attorney General to create a database of these crimes, which would be available to appropriate Federal, State and local agencies.

Let me be clear: my legislation is not a cure-all. Comprehensive and effective port security will require an inter-agency, intergovernmental strategy that works to prevent and deter criminal and terrorist activity, and, where those efforts fail, detect any wrongdoing before harm or destruction results. The Federal Government, with my support and oftentimes at my insistence, has established formal strategies and protocols to address drug trafficking, domestic and international crime, and airport security. But seaport security remains largely