

in elementary and secondary schools, and for other purposes.

S. 2268

At the request of Mr. MILLER, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 2268, a bill to amend the Act establishing the Department of Commerce to protect manufacturers and sellers in the firearms and ammunition industry from restrictions on interstate or foreign commerce.

S. 2489

At the request of Mrs. CLINTON, the name of the Senator from Vermont (Mr. JEFFORDS) 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. 2512

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 2512, a bill to provide grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, and for other purposes.

S. 2528

At the request of Mr. DOMENICI, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 2528, a bill to establish a National Drought Council within the Federal Emergency Management Agency, to improve national drought preparedness, mitigation, and response efforts, and for other purposes.

S. 2570

At the request of Ms. COLLINS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2570, a bill to temporarily increase the Federal medical assistance percentage for the medicaid program, and for other purposes.

S. 2602

At the request of Mrs. CLINTON, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 2602, a bill to amend title 38, United States Code, to provide that remarriage of the surviving spouse of a veteran after age 55 shall not result in termination of dependency and indemnity compensation.

S. 2626

At the request of Mr. KENNEDY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2626, a bill to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products.

S. 2674

At the request of Mr. BROWNBAC, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 2674, a bill to improve access to health care medically underserved areas.

S. 2800

At the request of Mr. BINGAMAN, his name was added as a cosponsor of S. 2800, a bill to provide emergency dis-

aster assistance to agricultural producers.

At the request of Mr. BAUCUS, the names of the Senator from North Dakota (Mr. CONRAD), the Senator from Minnesota (Mr. DAYTON), the Senator from Michigan (Mr. LEVIN), the Senator from Michigan (Ms. STABENOW) and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of S. 2800, *supra*.

S. J. RES. 40

At the request of Mrs. LINCOLN, the names of the Senator from Massachusetts (Mr. KENNEDY), the Senator from North Carolina (Mr. EDWARDS), the Senator from Oregon (Mr. WYDEN), the Senator from North Dakota (Mr. DORGAN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S.J. Res. 40, a joint resolution designating August as "National Missing Adult Awareness Month".

S. J. RES. 41

At the request of Mr. SPECTER, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S.J. Res. 41, a joint resolution calling for Congress to consider and vote on a resolution for the use of force by the United States Armed Forces against Iraq before such force is deployed.

S. RES. 239

At the request of Mr. ALLEN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. Res. 239, a resolution recognizing the lack of historical recognition of the gallant exploits of the officers and crew of the *S.S. Henry Bacon*, a Liberty ship that was sunk February 23, 1945, in the waning days of World War II.

S. RES. 306

At the request of Mr. BROWNBAC, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. Res. 306, a resolution expressing the sense of the Senate concerning the continuous repression of freedoms within Iran and of individual human rights abuses, particularly with regard to women.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mr. SANTORUM, Mr. SARBANESS, Mr. EDWARDS, Mr. FEINGOLD, Mr. KENNEDY, Mr. SCHUMER, Mr. SMITH of Oregon, and Mrs. CLINTON):

S. 2804. A bill to amend the National Maritime Heritage Act of 1994 to reaffirm and revise the designation of America's National Maritime Museum, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Ms. COLLINS. Mr. President, I am pleased to be introducing America's National Maritime Museums Act of 2002. This legislation would designate an additional 19 maritime museums as "American National Maritime Museums" nationwide. Maritime Museums

are dedicated to advancing maritime and nautical science by fostering the exchange of maritime information and experience and by promoting advances in nautical education.

The America National Maritime Museum designation would include a commitment on the part of each institution toward accomplishing a coordinated education initiative, resources management program, awareness campaign, and heritage grants program. Maritime museums in America will be dedicated to illuminating humankind's experience with the sea and the events that shaped the course and progress of civilization.

Museum collections are composed of hundreds of thousands of maritime items, including ship models, scrimshaw, maritime paintings, decorative arts, intricately carved figureheads, working steam engines, and much more. Maritime museums offer a variety of learning experiences for children and adults through hands-on workshops and programs that focus on maritime history.

Maritime lecture series presentations offer an opportunity to learn about the history and lore of the sea from some of the nation's leading maritime experts. Visitors learn the broad concept of sea power, the historic and modern importance of the sea in matters commercial, military, economic, political, artistic, and social.

The legislation that I am proposing would help museums better interpret maritime and social history to the public using their extensive collections of artifacts, exhibits and expertise. These programs and facilities are used by schools, civic organizations, genealogists, maritime scholars, and the visiting public, thus, serving students of all ages.

I urge all members of the Senate to join me in support of the America's National Maritime Museums Act of 2002.

By Mr. CORZINE (for himself and Mr. TORRICELLI):

S. 2805. A bill to amend title 23, United States Code, to provide for criminal and civil liability for permitting an intoxicated arrestee to operate a motor vehicle; to the Committee on Environment and Public Works.

Mr. CORZINE. Mr. President, today I am introducing legislation to address the serious national problem of drunk driving. The bill, entitled "John's Law of 2002," would help ensure that when drunken drivers are arrested, they cannot simply get back into the car and put the lives of others in jeopardy.

On July 22, 2000, Navy Ensign John Elliott was driving home from the United States Naval Academy in Annapolis for his mother's birthday when his car was struck by another car. Both Ensign Elliott and the driver of that car were killed. The driver of the car that caused the collision had a blood alcohol level that exceeded twice the legal limit.

What makes this tragedy especially distressing is that this same driver had

been arrested and charged with driving under the influence of alcohol, DUI, just three hours before the crash. After being processed for that offense, he had been released into the custody of a friend who drove him back to his car and allowed him to get behind the wheel, with tragic results.

We need to ensure that drunken drivers do not get back behind the wheel before they sober up. New Jersey took steps to do this when they enacted John's Law at the State level. I am pleased to offer a Federal version of this legislation today.

This bill would require States to impound the vehicle of an offender for a period of at least 12 hours after the offense. This would ensure that the arrestee cannot get back behind the wheel of his car until he is sober.

Further, the bill would require States to ensure that if a DUI offender arrestee is released into the custody of another, that person must be provided with notice of his or her potential civil or criminal liability for permitting the arrestee's operation of a motor vehicle while intoxicated. While this bill does not create new liability under Federal law, notifying such individuals of their prospective liability under State law should encourage them to act responsibly.

John's Law of 2002 is structured in a manner similar to other Federal laws designed to promote highway safety, such as laws that encourage states to enact tough drunk driving standards. Under the legislation, a portion of Federal highway funds would be withheld from States that do not comply. Initially, this funding could be restored if States move into compliance. Later, the highway funding forfeited by one State would be distributed to other States that are in compliance. Experience has shown that the threat of losing highway funding is very effective in ensuring that States comply.

I believe that this legislation would help make our roads safer and save many lives. I hope my colleagues will support it, and I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2805

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "John's Law of 2002".

SEC. 2. LIABILITY FOR PERMITTING AN INTOXICATED ARRESTEE TO OPERATE A MOTOR VEHICLE.

(a) IN GENERAL.—Subchapter I of chapter 1 of title 23, United States Code, is amended by adding at the end the following:

"§ 165. Liability for permitting an intoxicated arrestee to operate a motor vehicle

"(a) DEFINITION OF MOTOR VEHICLE.—In this section, the term 'motor vehicle' means a vehicle driven or drawn by mechanical power and manufactured primarily for use on public highways, but does not include a vehicle operated only on a rail.

"(b) WITHHOLDING OF APPORTIONMENTS FOR NONCOMPLIANCE.—

"(1) FISCAL YEAR 2005.—The Secretary shall withhold 5 percent of the amount required to be apportioned to any State under each of paragraphs (1), (3), and (4) of section 104(b) on October 1, 2004, if the State does not meet the requirements of paragraph (3) on that date.

"(2) SUBSEQUENT FISCAL YEARS.—The Secretary shall withhold 10 percent of the amount required to be apportioned to any State under each of paragraphs (1), (3), and (4) of section 104(b) on October 1, 2005, and on October 1 of each fiscal year thereafter, if the State does not meet the requirements of paragraph (3) on that date.

"(3) REQUIREMENTS.—A State meets the requirements of this paragraph if the State has enacted and is enforcing a law that is substantially as follows:

"(A) WRITTEN STATEMENT.—If a person is summoned by or on behalf of a person who has been arrested for public intoxication in order to transport or accompany the arrestee from the premises of a law enforcement agency, the law enforcement agency shall provide that person with a written statement advising him of his potential criminal and civil liability for permitting or facilitating the arrestee's operation of a motor vehicle while the arrestee remains intoxicated. The person to whom the statement is issued shall acknowledge, in writing, receipt of the statement, or the law enforcement agency shall record the fact that the written statement was provided, but the person refused to sign an acknowledgment. The State shall establish the content and form of the written statement and acknowledgment to be used by law enforcement agencies throughout the State and may issue directives to ensure the uniform implementation of this subparagraph. Nothing in this subparagraph shall impose any obligation on a physician or other health care provider involved in the treatment or evaluation of the arrestee.

"(B) IMPOUNDMENT OF VEHICLE OPERATED BY ARRESTEE; CONDITIONS OF RELEASE; FEE FOR TOWING, STORAGE.—

"(i) If a person has been arrested for public intoxication, the arresting law enforcement agency shall impound the vehicle that the person was operating at the time of arrest.

"(ii) A vehicle impounded pursuant to this subparagraph shall be impounded for a period of at least 12 hours after the time of arrest or until such later time as the arrestee claiming the vehicle meets the conditions for release in clause (iv).

"(iii) A vehicle impounded pursuant to this subparagraph may be released to a person other than the arrestee prior to the end of the impoundment period only if—

"(I) the vehicle is not owned or leased by the person under arrest and the person who owns or leases the vehicle claims the vehicle and meets the conditions for release in clause (iv); or

"(II) the vehicle is owned or leased by the arrestee, the arrestee gives permission to another person, who has acknowledged in writing receipt of the statement to operate the vehicle and the conditions for release in clause (iv).

"(iv) A vehicle impounded pursuant to this subparagraph shall not be released unless the person claiming the vehicle—

"(I) presents a valid operator's license, proof of ownership or lawful authority to operate the vehicle, and proof of valid motor vehicle insurance for that vehicle;

"(II) is able to operate the vehicle in a safe manner and would not be in violation of driving while intoxicated laws; and

"(III) meets any other conditions for release established by the law enforcement agency.

"(c) PERIOD OF AVAILABILITY; EFFECT OF COMPLIANCE AND NONCOMPLIANCE.—

"(1) PERIOD OF AVAILABILITY OF WITHHELD FUNDS.—Any funds withheld under subsection (b) from apportionment to any State shall remain available until the end of the fourth fiscal year following the fiscal year for which the funds are authorized to be appropriated.

"(2) APPORTIONMENT OF WITHHELD FUNDS AFTER COMPLIANCE.—If, before the last day of the period for which funds withheld under subsection (b) from apportionment are to remain available for apportionment to a State under paragraph (1), the State meets the requirements of subsection (a)(3), the Secretary shall, on the first day on which the State meets the requirements, apportion to the State the funds withheld under subsection (b) that remain available for apportionment to the State.

"(3) PERIOD OF AVAILABILITY OF SUBSEQUENTLY APPORTIONED FUNDS.—

"(A) IN GENERAL.—Any funds apportioned under paragraph (2) shall remain available for expenditure until the end of the third fiscal year following the fiscal year in which the funds are so apportioned.

"(B) TREATMENT OF CERTAIN FUNDS.—Any funds apportioned under paragraph (2) that are not obligated at the end of the period referred to in subparagraph (A) shall be allocated equally among the States that meet the requirements of subsection (a)(3).

"(4) EFFECT OF NONCOMPLIANCE.—If, at the end of the period for which funds withheld under subsection (b) from apportionment are available for apportionment to a State under paragraph (1), the State does not meet the requirements of subsection (a)(3), the funds shall be allocated equally among the States that meet the requirements of subsection (a)(3)."

(b) CONFORMING AMENDMENT.—The analysis for subchapter I of chapter 1 of title 23, United States Code, is amended by adding at the end the following:

"165. Liability for permitting an intoxicated arrestee to operate a motor vehicle."

By Ms. LANDRIEU:

S. 2806. A bill to provide that members of the Armed Forces performing services on the Island of Diego Gracia shall be entitled to tax benefits in the same manner as if such services were performed in a combat zone, and for other purposes; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2807. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of dependent care assistance programs sponsored by the Department of Defense for members of the Armed Forces of the United States; to the Committee on Finance.

Ms. LANDRIEU. Mr. President, I rise today to introduce two bills. One will give tax relief to a small group of men and women in our armed services stationed on the island of Diego Garcia in the Indian Ocean, supporting the war on terrorism in Afghanistan. The second bill will exclude from gross income childcare benefits paid to members of our armed forces. These are small measures, but both will be of great benefit to the men and women serving our country.

Diego Garcia is a British Territory lying seven degrees South Latitude off

the coast of India, in the middle of the Indian Ocean. The island is 40 miles around and encompasses an area of 6,720 acres, most of it dominated by a large lagoon. The land mass is actually very small. It is home to a joint British-United States Naval Support Facility, and while there are only a small handful of British Royal Navy personnel on the island, there is a larger, tight-knit team of American Air Force, Navy, and Army personnel on the island. These men and women serving on Diego Garcia are supporting B-52 bombing missions and other operations over Afghanistan. Many of them are from the 2nd Bomb Wing and the 917th Wing. Both units call Barksdale Air Force Base in Louisiana their home.

As a Nation, we provide members of our armed forces with a variety of benefits, all of them deserve. They receive hardship duty pay of \$150 per monthly for serving in austere regions of the World. They get imminent danger pay of \$150 per month as compensation for being in physical danger. One of the most generous benefits for those serving in the war on terrorism is the combat zone tax exclusion. Members of the armed services do not pay Federal tax on compensation they for any month of service inside a combat one. They only have to serve on day in the combat zone to get this benefit. The exclusion only applies to personnel who receive imminent danger pay.

On Diego Garcia, the pilots and flight crews who fly the missions over Afghanistan are eligible for the income tax exclusion because they receive imminent danger pay. But the men and women who load the bombers, fuel them, and maintain them are not eligible because they do not enter the combat zone. My office was contacted by the officers who fly the bombing missions about this discrepancy. They asked me to help out their support crews, a gesture of selflessness that I want to honor.

I recognize that the support crews may not receive imminent danger pay, but their situation is not too different from Naval personnel performing the same tasks on ships in the Arabian Sea. Naval support crews receive imminent danger pay and are eligible for the tax exclusion, but they do not enter Afghanistan.

Diego Garcia is a beautiful place, but it is a long way from home. The least we could do is treat everyone who has served on the island the same. That is what my bill will do.

My second bill will correct an omission in the Tax Reform Act of 1986. That Act contained a provision consolidating the laws regarding the tax treatment of certain military benefits. The Conference Report to that Act contains a long list of benefits to be excluded from gross income of military personnel. According to the report, this list was to be exhaustive. The problem is that child care benefits are not on that list.

I do not know if this omission was intentional. Perhaps at that time, child

care benefits were relatively unknown in the military. The Conference Report gives the Treasury Secretary the authority to expand the list of eligible benefits, but so far the Secretary has not provided any guidance to the Department of Defense as to how these benefits should be treated for tax purposes. While military families are not currently being taxed for child care benefits, the Department of Defense has indicated that it would like Congress to clarify that child care benefits are not subject to tax. My bill will give our military families and the Department of Defense a greater degree of certainty.

Throughout our history, in time of war we have worked to make sure that our armed forces have everything they need and we have spared no expense in meeting that need. But the men and women on the ground often have families back at home. We should make sure that we support them as well. I urge my colleagues to support this legislation.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE RESOLUTION 307—RE-AFFIRMING SUPPORT OF THE CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE AND ANTICIPATING THE COMMEMORATION OF THE 15TH ANNIVERSARY OF THE ENACTMENT OF THE GENOCIDE CONVENTION IMPLEMENTATION ACT OF 1987 (THE PROXIMITY ACT) ON NOVEMBER 4, 2003

Mr. TORRICELLI submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 307

Whereas, in 1948, in the shadow of the Holocaust, the international community responded to Nazi Germany's methodically orchestrated acts of genocide by approving the Convention on the Prevention and Punishment of the Crime of Genocide;

Whereas the Convention on the Prevention and Punishment of the Crime of Genocide confirms that genocide is a crime under international law, defines genocide as certain acts committed with intent to destroy a national, ethnical, racial or religious group, and provides that parties to the Convention undertake to enact domestic legislation to provide effective penalties for persons who are guilty of genocide;

Whereas the United States, under President Harry Truman, stood as the first nation to sign the Convention on the Prevention and Punishment of the Crime of Genocide;

Whereas the United States Senate ratified the Convention on the Prevention and Punishment of the Crime of Genocide on February 19, 1986;

Whereas the Genocide Convention Implementation Act of 1987 (the Proxmire Act) (Public Law 100-606), signed into law by President Ronald Reagan on November 4, 1988, amended the United States Code (18 U.S.C. 1091) to criminalize genocide under the United States law;

Whereas the enactment of the Genocide Convention Implementation Act marked a

principled stand by the United States against the crime of genocide and an important step toward ensuring that the lessons of the Holocaust, the Armenian Genocide, the genocides in Cambodia and Rwanda, among others, will be used to help prevent future genocides;

Whereas, despite the international community's consensus against genocide, as demonstrated by the fact that 133 nations are party to the Convention on the Prevention and Punishment of the Crime of Genocide and through other instruments and actions, denial of past instances of genocide continues and many thousands of innocent people continue to be victims of genocide; and

Whereas November 4, 2003 is the 15th anniversary of the enactment of the Genocide Convention Implementation Act of 1987 (the Proxmire Act): Now, therefore, be it

Resolved, That the Senate—

(1) reaffirms its support of the Convention on the Prevention and Punishment of the Crime of Genocide;

(2) anticipates the commemoration of the 15th anniversary of the enactment of the Genocide Convention Implementation Act of 1987 (the Proxmire Act) on November 4, 2003; and

(3) encourages the people and Government of the United States to rededicate themselves to the cause of bringing an end to the crime of genocide.

SENATE RESOLUTION 308—EXPRESSING THE SENSE OF THE SENATE REGARDING THE "ONCE-A-DAY" PROGRAM TO PROMOTE LOCAL FARM PRODUCTS

Mrs. CLINTON submitted the following resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

S. RES. 308

Whereas agriculture is a major industry in the United States, contributing \$82,000,000,000 to the gross domestic product of the United States in 2000;

Whereas the farmers in every State produce a wide variety of local foods;

Whereas locally-grown, seasonal foods are fresh and wholesome, with superior taste and nutrition;

Whereas eating fresh foods in season is vital to a healthy diet, promotes health, and supports an active lifestyle;

Whereas reduced time from field to table allows farmers to harvest fully-ripened produce;

Whereas this flavorful produce can be prepared with less fat, sugar, and salt;

Whereas during the months of August, September, and October there is a tremendous selection of fresh, locally-grown produce;

Whereas local farms provide jobs, attract tourists, and recirculate dollars into the local economy of our Nation;

Whereas local produce can be found at many locations such as farmers' markets, community-supported agriculture farms, farm stands, local stores, and restaurants;

Whereas if citizens of the United States would eat 1 item of local produce each day, every dollar spent on the produce would support independent family farms that contribute to the economic health of the United States; and

Whereas Dutchess County, New York, has already begun a "Once-a-Day" program to encourage local residents to buy local produce in support of their local farmers and their own health: Now, therefore, be it

Resolved, That it is the sense of the Senate that—