

Side. Although Eli's father owned a bakery on Roosevelt Road, times were hard for the Schulmans.

Eli was forced to leave school and embark on a series of jobs to support his family, doing everything from selling newspapers, to peddling seat cushions at ballparks, to managing a shoe store and selling women's dresses.

In 1940, Eli decided to open his own restaurant called the Ogden Huddle. Soon after World War II breaks out, two signs appear in the restaurant's window. The first offers a 25 percent discount to men in uniform. The second simply states "If you are hungry and don't have any money, come in and we'll feed you free." This spirit of generosity was carried throughout Eli Schulman's life.

Following the war, in the 1940s and 50s Eli's business expands and his new restaurants become "hot spots" for both the Rush Street and Lake Shore Drive set. When in town, entertainers such as Barbara Streisand, pianist Bobby Short and comedian Sheky Green often can be found frequenting Eli's.

In 1966, Eli and his Wife Esther realized their dream of opening a white-tablecloth establishment, Eli's The Place for Steak, in what was then the luxury hotel The Carriage House. Eli's soon became the spot for celebrities and dignitaries to dine. Everyone from Frank Sinatra and Sammy Davis Jr. to Gayle Sayers of the Chicago Bears and comedian Henny Youngman, all began to make Eli's their place for steak.

In the late 1970s, following up on a suggestion from a customer about his dessert, Eli spent several weeks coming up with a recipe that pleases everyone. Eli's Cheesecake quickly became a marquee offering at Eli's the Place for Steak. In the next few years, this rich and creamy dessert became such a hit that Eli's began producing cheesecakes for other restaurants and retail outlets.

Although Eli Schulman passed away in 1988, a playground in Seneca Park, located across the street from Eli's the Place for Steak, has been dedicated to his memory. And Eli Schulman's spirit lives on in the company he started. His son, Marc Schulman and Marc's wife Maureen, are dedicated to providing their customers with products and services that live up to the name "Chicago's Finest."

Eli's Cheesecake now employs more than 200 associates, the company's growth has been dramatic, and its headquarters, Eli's Cheesecake World, is a 62,000 square-foot state-of-the-art bakery, visitor center, and cafe.

Today, the company makes more than 15,000 cheesecakes every day for sale to restaurants, supermarkets, and airlines. Eli's Cheesecakes are also available to the public via the company's thriving mail-order business and Web site.

In honor of this great day, I have brought a taste of Chicago to the U.S. Senate. Earlier today, I delivered a

sample of Eli's Cheesecakes to both the Democratic and Republican Cloakrooms for my colleagues to enjoy.

As we go about the Nation's business today, I hope that each of my colleagues will take a moment to enjoy the treats in the cloakrooms and ponder the words of a respected American writer who once proclaimed that cheesecake was the truest democratic dessert, it is a mix of different ingredients that did not care much for the presence of an upper crust.●

#### HONORING ROSWELL, NEW MEXICO UPON BEING SELECTED AS A 2002 NATIONAL CIVIC LEAGUE ALL- AMERICA CITY

● Mr. DOMENICI. Mr. President, I rise to join the National Civic League in recognizing the city of Roswell, NM as a recipient of the 2002 All-America City award.

Roswell is one of the most fascinating cities in America. Perhaps Roswell's most notorious claim to fame is the 1947 "Roswell Incident," in which an alleged space craft is said to have crashed nearby. It was in Roswell that Dr. Robert H. Goddard chose to launch the first rockets into space, propelling him into history as the father of space exploration. The New Mexico Military Institute, noted for such distinguished alums as Roger Staubach, Sam Donaldson, and Conrad Hilton, has been training tomorrow's future leaders in the Roswell area since 1891. However, Roswell has much more to offer than stories about extraterrestrials.

The city has been at the forefront of local civic programs aimed at improving community standards. The Nothing Other Than Excellence, NOTE, program emphasizes how music appreciation can benefit reading and math abilities. A low-income dental program, the Community Dental Initiative, has provided a creative way to provide access to affordable dental needs by combining a mobile dental clinic with a permanent clinic helping to reach under-served people. In addition, the city has taken up my initiative to get schools and communities involved in character education. They have developed a citywide program involving schools, parents, churches, and the government to promote Character Counts, a program that stresses the importance of trustworthiness, respect, responsibility, caring, citizenship, and fairness in young people's lives.

It is for their civic work that the National Civic League recognized Roswell as an All-America City. For the past 53 years, the National Civic League annually chooses 10 outstanding communities for their efforts to involve community members in innovative projects to address local challenges. I am pleased that Roswell has tried to create a better community through active public participation in civic activities.

Roswell's success is due to the active involvement of the community and

their willingness to make a difference in each other's lives. All of Roswell can bask in the honor of being selected as an All-America City. This could not have been achieved without everyone's support. I commend you all on your well deserved recognition.●

#### MESSAGE FROM THE HOUSE

At 2:15 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5005. An act to establish the Department of Homeland Security, and for other purposes.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 5005. An act to establish the Department of Homeland Security, and for other purposes.

#### 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-8288. A communication from the Acting Director, Office of Regulatory Law, Board of Veterans' Appeals, Department of Veterans' Affairs, transmitting, pursuant to law, the report of a rule entitled "Board of Veterans' Appeals: Rules of Practice—Attorney Fee Matters" (RIN2900-A198) received on July 26, 2002; to the Committee on Veterans' Affairs.

EC-8289. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" (Doc. No. FEMA-7787) received on July 26, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-8290. A communication from the Chairman, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the Corporation's Annual Report for calendar year 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-8291. A communication from the Assistant Secretary of Defense, Force Management Policy, transmitting, pursuant to law, a report concerning the approval of the demonstration project plan for the U.S. Army Communications-Electronics Command (CECOM) Research, Development, and Engineering Community (RDEC); to the Committee on Armed Services.

EC-8292. A communication from the Chairman, Office of the General Counsel, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled "Reorganization of Definition of Contribution and Expenditure" received on July 26, 2002; to the Committee on Rules and Administration.

EC-8293. A communication from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Policy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled

"Greening the Government Requirements in Contracting" (AL-2002-05) received on July 26, 2002; to the Committee on Energy and Natural Resources.

EC-8294. A communication from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Policy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Processing Requests for Indemnification or Other Extraordinary Contractual Relief Under Pub. L. 85-804" (AL-2002-04) received on July 26, 2002; to the Committee on Energy and Natural Resources.

EC-8295. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Secondary Direct Food Additives Permitted for Direct Addition to Food for Human Consumption; Materials Used as Fixing Agents in the Immobilization of Enzyme Preparations" (Doc. No. 89F-0452) received on July 26, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-8296. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Digoxin Products for Oral Use; Revocation of Conditions for Marketing" (RIN0910-AC12) received on July 26, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC-8297. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs; Technical Change to Requirements for the Group Health Insurance Market; Non-Federal Governmental Plan Exempt from HIPAA Title I Requirements" (RIN0938-AK00) received on July 25, 2002; to the Committee on Finance.

EC-8298. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; End-Stage Renal Disease-Removal of Waiver of Conditions for Coverage under a State of Emergency in Houston, Texas Area" (RIN0938-AL39) received on July 25, 2002; to the Committee on Finance.

EC-8299. 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 "Information Reporting Requirements for Certain Payments Made on Behalf of Another Person, Payments to Joint Payees, and Payments of Gross Proceeds from Sales Involving Investment Advisors" (RIN1545-AW48; TD9010) received on July 26, 2002; to the Committee on Finance.

EC-8300. 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 Regarding the Active Trade or Business Requirement of Section 355(b)" (Rev. Rul. 2002-49, 2002-32) received on July 26, 2002; to the Committee on Finance.

EC-8301. 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 "Regulations Governing Practice Before the Internal Revenue Service" (RIN1545-AY05; TD90114) received on July 26, 2002; to the Committee on Finance.

EC-8302. A communication from the Chief, Regulations Division, Bureau of Alcohol, Tobacco, and Firearms, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Addition of New

Grape Variety Names for American Wines" (RIN1512-AC29) received on July 26, 2002; to the Committee on Finance.

EC-8303. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, the Commission's June 2002 Report Assessing Medicare Benefits; to the Committee on Finance.

EC-8304. A communication from the Deputy Associate Administrator, Office of Acquisition Policy, General Service Administration, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2001-07" (FAC 2001-07) received on July 18, 2002; to the Committee on Governmental Affairs.

EC-8305. A communication from the Director, Federal Emergency Management Agency, transmitting, pursuant to law, the Inspector General's and Director's semiannual reports that address the Agency's audit and audit follow-up activities during the period October 1, 2001 through March 31, 2002; to the Committee on Governmental Affairs.

EC-8306. A communication from the Federal Co-Chairman, Appalachian Regional Commission, transmitting, pursuant to law, the report of the Office of the Inspector General for the period October 1, 2001 through March 31, 2002; to the Committee on Governmental Affairs.

EC-8307. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Closure of the Spring Commercial Red Snapper Fishery in the Gulf of Mexico Exclusive Economic Zone" received on July 26, 2002; to the Committee on Commerce, Science, and Transportation.

EC-8308. A communication from the Director of the United States Office of Personnel Management, Office of Insurance Programs, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Suspension of CHAMPVA or TRICARE or TRICARE-for-Life Eligibles' Enrollment in the Federal Employees Health Benefits (FEHB) Program" (RIN3206-AJ36) received on July 26, 2002; to the Committee on Governmental Affairs.

EC-8309. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of the Office of the Inspector General for the period October 1, 2001 through March 31, 2002; to the Committee on Governmental Affairs.

EC-8310. A communication from the Inspector General, General Services Administration, transmitting, pursuant to law, the report of the Office of the Inspector General for the period October 1, 2001 through March 31, 2002; to the Committee on Governmental Affairs.

EC-8311. A communication from the Deputy Associate Administrator, Office of Acquisition Policy, National Aeronautics and Space Administration, General Services Administration, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2001-08" (FAC 2001-08) received on July 26, 2002; to the Committee on Governmental Affairs.

EC-8312. A communication from the Administrator, Small Business Administration, transmitting, pursuant to law, the report of the Office of the Inspector General for the period October 1, 2001 through March 31, 2002; to the Committee on Governmental Affairs.

EC-8313. A communication from the Executive Officer, National Science Board, transmitting, pursuant to law, the Board's report under the Government in the Sunshine Act

for calendar year 2001; to the Committee on Governmental Affairs.

EC-8314. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Fiscal Year 2001 Annual Program Performance Report and the Fiscal Year 2003 Annual Performance Plan; to the Committee on Governmental Affairs.

EC-8315. A communication from the Inspector General Liaison, Selective Service System, transmitting the report of the Office of the Inspector General for the period October 1, 2001 through March 31, 2002; to the Committee on Governmental Affairs.

EC-8316. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more to Japan; to the Committee on Foreign Relations.

EC-8317. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles or defense services sold commercially under contract in the amount of \$50,000,000 or more to Russia, Ukraine and Norway; to the Committee on Foreign Relations.

EC-8318. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more to Canada; to the Committee on Foreign Relations.

EC-8319. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles to Pakistan; to the Committee on Foreign Relations.

EC-8320. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles to Pakistan; to the Committee on Foreign Relations.

EC-8321. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles to India; to the Committee on Foreign Relations.

EC-8322. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more to Turkey, Australia, Italy, Germany, Norway, and Canada; to the Committee on Foreign Relations.

EC-8323. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles to Pakistan; to the Committee on Foreign Relations.

EC-8324. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles to Pakistan; to the Committee on Foreign Relations.

EC-8325. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to

the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles to Pakistan; to the Committee on Foreign Relations.

EC-8326. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more to Russia and Kazakhstan; to the Committee on Foreign Relations.

EC-8327. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles to Pakistan; to the Committee on Foreign Relations.

EC-8328. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles to Pakistan; to the Committee on Foreign Relations.

EC-8329. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles to Pakistan; to the Committee on Foreign Relations.

EC-8330. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles to Pakistan; to the Committee on Foreign Relations.

EC-8331. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles to Pakistan; to the Committee on Foreign Relations.

EC-8332. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles to Pakistan; to the Committee on Foreign Relations.

EC-8333. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles to Pakistan; to the Committee on Foreign Relations.

EC-8334. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles to India; to the Committee on Foreign Relations.

EC-8335. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more to Thailand and France; to the Committee on Foreign Relations.

EC-8336. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of technical data and defense services to India; to the Committee on Foreign Relations.

EC-8337. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles to India; to the Committee on Foreign Relations.

EC-8338. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more to the Netherlands; to the Committee on Foreign Relations.

EC-8339. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of technical data and defense services to India; to the Committee on Foreign Relations.

EC-8340. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of technical data and defense services to India; to the Committee on Foreign Relations.

EC-8341. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of technical data and defense services to India; to the Committee on Foreign Relations.

EC-8342. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of the certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more to Turkey; to the Committee on Foreign Relations.

EC-8343. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report concerning fees for passport services; to the Committee on Foreign Relations.

EC-8344. A communication from the President of the United States, transmitting, consistent with the War Powers Resolution, a report on the deployment of combat-equipped U.S. Armed Forces to Bosnia and Herzegovina and other states in the region in order to participate in and support the North Atlantic Treaty Organization (NATO)-led Stabilization Force (SFOR); to the Committee on Foreign Relations.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BIDEN, from the Committee on Foreign Relations, with amendments:

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.

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. BIDEN for the Committee on Foreign Relations.

\*James Howard Yellin, of Pennsylvania, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Burundi.

Nominee: James H. Yellin.

Post: Ambassador to Burundi.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

*Contributions, Amount, Date, Donee:*

1. Self, none.
2. Spouse, not applicable.
3. Children and Spouses Names: not applicable.
4. Parents Names:  
Herman A. Yellin, (deceased).  
Lillian D. Yellin, (deceased).
5. Grandparents Names: (deceased).
6. Brothers and Spouses Names: not applicable.
7. Sisters and Spouses Names: not applicable.

\*Kristie Anne Kenney, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Ecuador.

Nominee: Kristie A. Kenney.

Post: Ambassador to Ecuador.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

*Contributions, Amount, Date, Donee:*

1. Self, none.
2. Spouse, none.
3. Children and Spouses names:  
We have no children.
4. Parents names:  
Jeremiah J. Kenney, Jr and Elizabeth Kenney—no contributions.
5. Grandparents Names:  
Jeremiah J. Kenney—deceased 1972; Selma J. Kenney—deceased 1985.  
George Cornish—deceased 1945; Irma Cornish—deceased 1972.
6. Brothers and Spouses Names:  
John Kenney and Lisanne Dickson (wife)—No contributions.
7. Sisters and Spouses Names:  
I have no sisters.

\*Barbara Calandra Moore, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Nicaragua.

Nominee: Barbara Calandra Moore.

Post: U.S. Ambassador to Nicaragua.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

*Contributions, Amount, Date, Donee:*

1. Self: none.
2. Spouse: Spencer B. Moore, none.
3. Children and Spouses Names: Nicholas A. Moore, none.
4. Parents Names: Mary G. Calandra, none.
5. Grandparents Names: deceased: Peter & Concetta Calandra, Frank & Ana Galza.
6. Brothers and Spouses Names: N/A.