

## HONORING OUR ARMED FORCES

• Mrs. LINCOLN. Mr. President, in recent months I have risen on several occasions to pay tribute to the men and women who are fighting in Iraq and elsewhere in the global war on international terror. Today I rise once again to pay tribute and to honor a young man who was recently killed in action in Iraq—Dustin K. McGaugh. Dusty was killed Tuesday near Balad, Iraq. He was 20 years old.

Dusty grew up in Springdale, AR, and graduated from high school in Tulsa, OK. After graduation, he joined the Army ROTC. His father, James McGaugh, told one newspaper in Arkansas that Dusty joined the Army because he was looking for direction in life and because he “wanted to serve and be part of something important.” Dusty enlisted shortly before September 11, 2001—in fact, when the terrorist attacks occurred on that horrible day, he was undergoing basic training in boot camp. One newspaper account quotes a close friend who told of Dusty being so dedicated to his Army service that he finished his last three weeks of basic training after breaking his shin bone in a fall. Dusty decided not to report his injury, so that he might graduate from basic training on time with his colleagues. He graduated with special honors. In April of this year, Dusty’s unit—the U.S. Army 17th Field Artillery Brigade—was deployed to the Middle East. He accepted his mission with pride and served with honor.

Dusty is survived by his father James of Springdale; his brother, James McGaugh, of Claremore, OK; his mother, Marina Hayes, of Tulsa; his stepmother, Katrina McGaugh, of Springdale; and a twin sister, Windy McGaugh, of Derby, KS. I ask my colleagues to join me in extending our deepest condolences to Dusty’s family and friends.

When he learned that he would be going to Iraq, Dusty reportedly told one friend, “I believe in this. I want to serve our country.” His resolve and his commitment to his country will not be forgotten. The mission continues in Iraq, and we remain confident that Dusty McGaugh’s courage and sacrifice will have been given in a worthy cause.●

• Mr. JOHNSON. Mr. President, I rise today to honor SSG Daryl Devries of Armour, SD. Staff Sergeant Devries was recently awarded the Purple Heart for injuries suffered while serving in Iraq.

Daryl was injured when a rocket-propelled grenade struck the Humvee he was riding in while on security patrol in northern Iraq. Daryl, who is a member of the 200th Engineer Company, was sent to Iraq in April to help assemble and secure a bridge across the Tigris River.

The Purple Heart was established by General George Washington at Newburgh, NY, on August 7, 1782, during the Revolutionary War. The Purple

Heart, which is awarded to a member of the Armed Forces who is wounded or killed in an armed conflict, is unique in that an individual is not recommended for the decoration; rather they are entitled to it. Daryl joins a heroic and honorable group of soldiers who have sacrificed their own wellbeing in service to our country.

Let me also express my admiration for the South Dakota National Guard. With 750 members of the National Guard serving in Iraq, South Dakota has one of the highest rates of mobilization in the Nation. This high rate of service is a reflection of the hard work and pride South Dakota National Guard members maintain. These brave and accomplished servicemen and women regularly win national awards and rank at or near the top in National Guard performance tests and competitions. They represent South Dakota principles with remarkable distinction.

I know Staff Sergeant Devries is a valued member of the South Dakota National Guard. As the father of a soldier who has recently returned from active duty service in Iraq, I am especially appreciative of his skilled and courageous actions. This prestigious award is a reflection of his military professionalism and extraordinary bravery.

Mr. President, I join with all South Dakotans in expressing my gratitude to Staff Sergeant Devries. We are all proud and thankful for all that he has done and continues to do in the service of the United States of America.●

• Mr. JOHNSON. Mr. President, I rise today to honor SP Tyler Campbell of Lemmon, SD. Specialist Campbell was recently awarded the Purple Heart for injuries suffered while on patrol in northern Iraq in July.

Tyler, who is a member of the 854th Quartermaster Company, was sent to Iraq in April to help assemble and secure a 300-meter bridge across the Tigris River.

The Purple Heart, which was established by General George Washington at Newburgh, NY on August 7, 1782, during the Revolutionary War, is awarded to a member of the Armed Forces who is wounded or killed in an armed conflict. Tyler richly deserves this prestigious award, and joins a honorable group of soldiers who have admirably sacrificed their own safety while serving our country.

Let me express my admiration for the South Dakota National Guard. With 750 members of the National Guard serving in Iraq, South Dakota has one of the highest rates of mobilization in the Nation. This high rate of service is a reflection of the hard work and pride South Dakota National Guard members maintain. These brave and accomplished servicemen and women regularly win national awards and rank at or near the top in National Guard performance tests and competitions. They represent South Dakota principles with remarkable distinction.

I know Specialist Campbell is a valued member of the South Dakota Na-

tional Guard. As the father of a soldier who has recently returned from active duty service in Iraq, I am especially appreciative of his skilled and courageous actions. This prestigious award is a reflection of his military professionalism and extraordinary bravery.

Mr. President, I join with all South Dakotans in expressing my gratitude to Specialist Campbell. We are all proud and thankful for all that he has done and continues to do in the service of the United States of America.●

## MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

## EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

## MESSAGE FROM THE HOUSE

At 1:16 p.m., a message from the House of Representatives, delivered one of its clerks, announced that the House has agreed to the following concurrent resolution:

S. Con. Res. 71. Concurrent resolution providing for a conditional adjournment or recess of the Senate.

## ENROLLED BILL SIGNED

The following enrolled bill, previously signed by the Speaker of the House, was signed on October 2, 2003, by the president pro tempore (Mr. STEVENS):

H. R. 2826. An act to designate the facility of the United States Postal Service located at 1000 Avenida Sanchez Osorio in Carolina, Puerto Rico, as the “Roberto Clemente Walker Post Office Building”.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4643. A communication from the Chairman, International Trade Commission, transmitting, pursuant to law, the Commission’s report on The Impact of the Caribbean Basin Economic Recovery Act (CBERA); to the Committee on Finance.

EC-4644. A communication from the Chairman, International Trade Commission, transmitting, pursuant to law, the Commission’s report on the Andean Trade Preference Act (ATPA)—Impact on U.S. Industries and Consumers and on Drug Crop Eradication

and Crop Substitution; to the Committee on Finance.

EC-4645. A communication from the Chairman, International Trade Commission, transmitting, pursuant to law, the Commission's Strategic Plan which covers the fiscal period 2003 through 2008; to the Committee on Finance.

EC-4646. A communication from the Assistant Secretary, Legislative Affairs, transmitting, pursuant to the Arms Export Control Act, the report 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 Taiwan; to the Committee on Foreign Relations.

EC-4647. A communication from the Assistant Secretary, Legislative Affairs, transmitting, pursuant to the Arms Export Control Act, the report 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 Algeria and the United Kingdom; to the Committee on Foreign Relations.

EC-4648. A communication from the Assistant Secretary, Legislative Affairs, transmitting, pursuant to the Arms Export Control Act, the report of a proposed license for the export of defense articles that are firearms controlled under category I of the United States Munitions List sold commercially under a contract in the amount of \$1,000,000 or more to Colombia; to the Committee on Foreign Relations.

EC-4649. A communication from the Assistant Secretary, Legislative Affairs, transmitting, pursuant to the Emergency Wartime Supplemental Appropriations Act, the report of a license for the export of items in the national interest of the United States to Iraq; to the Committee on Foreign Relations.

EC-4650. A communication from the Director of the Office of Personnel Management and the Secretary of the Treasury, transmitting, pursuant to law, a report relative to funding for benefits attributable to the military service of current and former employees of the Postal Service; to the Committee on Governmental Affairs.

EC-4651. A communication from the Archivist of the United States, transmitting, the Strategic Plan of the National Archives and Records Administration; to the Committee on Governmental Affairs.

EC-4652. A communication from the Postmaster General, United States Postal Service, transmitting, pursuant to law, two reports relative to military service of current and former Postal Service employees and a proposal to expend savings accrued to the Postal Service as a result of P.L. 108-18; to the Committee on Governmental Affairs.

EC-4653. A communication from the Chairman, National Capital Planning Commission, transmitting, a report entitled "Designing for Security in the Nation's Capitol"; to the Committee on Governmental Affairs.

EC-4654. A communication from the Secretary of Labor, transmitting, pursuant to law, a letter relative to the Department of Labor's expenditure of a portion of the special \$1000 filing fees paid by employers who seek access to H-1B nonimmigrant employees; to the Committee on Health, Education, Labor, and Pensions.

EC-4655. A communication from the Secretary of Labor, transmitting, the Department of Labor's Strategic Plan for Fiscal Years 2003 through 2008; to the Committee on Health, Education, Labor, and Pensions.

EC-4656. A communication from the Railroad Retirement Board, transmitting, the Board's Strategic Plan for 2003 through 2008; to the Committee on Health, Education, Labor, and Pensions.

EC-4657. A communication from the Regulations Coordinator, Department of Health

and Human Services, transmitting, pursuant to law, the report of a rule entitled "Charitable Choice Regulations Applicable to States Receiving Substance Abuse Prevention and Treatment Block Grants, Projects for Assistance in Transition from Homelessness, Formula Grants, and to Public and Private Receiving Discretionary Funding from SAMHSA" (RIN0930-A11) received on September 30, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC-4658. A communication from the Regulations Coordinator, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Charitable Choice Provisions Applicable to Programs Authorized Under the Community Services Block Grant Act" (RIN0970-AC13) received on September 30, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC-4659. A communication from the Regulations Coordinator, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Charitable Choice Provisions Applicable to the Temporary Assistance for Needy Families Program" (RIN0970-AC12) received on September 30, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC-4660. A communication from the Regulations Coordinator, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Hospice Wage Index for Fiscal Year 2004" (RIN0938-AM67) received on September 30, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC-4661. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to activities and operations of the Public Integrity Section, Criminal Division, and reporting nationwide Federal law enforcement effort against public corruption; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

H.R. 4. A bill to reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care, and for other purposes (Rept. No. 108-162).

#### 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. REED (for himself and Mrs. MURRAY):

S. 1710. A bill to amend title XXVII of the Public Health Service Act and part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 to establish standards for the health quality improvement of children in managed care plans and other health plans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORZINE:

S. 1711. A bill to increase the expertise and capacity of community-based organizations involved in economic development activities and key development programs; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LIEBERMAN (for himself and Mr. LEVIN):

S. 1712. A bill to re-establish and reform the independent counsel statute; to the Committee on Governmental Affairs.

By Ms. SNOWE (for herself, Mr. PRYOR, and Mr. BOND):

S. 1713. A bill to amend title IV of the Small Business Investment Act of 1958, relating to a pilot program for credit enhancement guarantees on pools of non-SBA loans; to the Committee on Small Business and Entrepreneurship.

By Mr. CORZINE:

S. 1714. A bill to amend the National Housing Act to increase the maximum mortgage amount limit for FHA-insured mortgages for multifamily housing located in high-cost areas; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CAMPBELL (for himself and Mr. INOUE):

S. 1715. A bill to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes; to the Committee on Indian Affairs.

By Mr. CHAFEE (for himself, Mr. BOND, and Mr. JEFFORDS):

S. 1716. A bill to amend the Federal Water Pollution Control Act to authorize the use of funds made available for nonpoint source management programs for projects and activities relating to the development and implementation of phase II of the storm water program of the Environmental Protection Agency; to the Committee on Environment and Public Works.

By Mr. HATCH (for himself, Mr. BROWNBACK, Mr. SPECTER, and Mr. DODD):

S. 1717. A bill to amend the Public Health Service Act to establish a National Cord Blood Stem Cell Bank Network to prepare, store, and distribute human umbilical cord blood stems cells for the treatment of patients and to support peer-reviewed research using such cells; to the Committee on Health, Education, Labor, and Pensions.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CAMPBELL (for himself, Mr. INOUE, Mr. BINGAMAN, Mr. JOHNSON, Mr. THOMAS, and Mr. MCCAIN):

S. Res. 239. A resolution designating November 7, 2003, as "National Native American Veterans Day" to honor the service of Native Americans in the United States Armed Forces and the contribution of Native Americans to the defense of the United States; to the Committee on the Judiciary.

By Mr. CAMPBELL (for himself, Mr. INOUE, Mr. DORGAN, Mr. BINGAMAN, Mr. JOHNSON, Mr. DOMENICI, Mr. MCCAIN, Mr. THOMAS, and Mr. HATCH):

S. Res. 240. A resolution designating November 2003 as "National American Indian Heritage Month"; to the Committee on the Judiciary.

By Mr. GRAHAM of South Carolina:

S. Res. 241. A resolution expressing the sense of the Senate regarding the Palestinian Authority; to the Committee on Foreign Relations.

By Ms. MURKOWSKI:

S. Res. 242. A resolution to express the sense of the Senate concerning the do-not-call registry; to the Committee on the Judiciary.

By Mr. DASCHLE:

S. Con. Res. 72. A concurrent resolution commemorating the 60th anniversary of the