Whereas the district judge held that the do-not-call registry violated the First Amendment free speech rights of telemarketers and was therefore unconstitutional;

Whereas on September 25, 2003, Congress passed legislation reaffirming the authority of the Federal Trade Commission to establish the do-not-call registry;

Whereas over 50,000,000 telephone consumers have signed up for the do-not-call registry, which was to go into effect on October 1, 2003; and

Whereas the people of the United States have the right to protect the privacy of their homes from unsolicited commercial telemarketing calls: Now, therefore, be it

Resolved, That the Senate—

(1) strongly disapproves of the decision of the United States District Court in Mainstream Marketing Services, Inc. v. Federal Trade Commission; and

(2) directs the Senate Legal Counsel—

(A) to intervene in any case brought to defend the constitutionality of the do-not-call registry; or

(B) if unable to intervene, to file an amicus curiae brief in support of the constitutionality of the do-not-call registry.

Ms. MURKOWSKI. Mr. President, I come to the floor today to address yet another misguided judicial action that is threatening again to prevent the ''Do-Not-Call Registry'' from going into effect on Wednesday, October 1. This body just last week addressed the misguided application of the law from a Federal Court in Oklahoma.

Not 48 hours had passed before the lawyers for the telemarketers found another judge to halt the implementation of that program—this time on constitutional grounds.

The U.S. District Court for the District of Colorado in Mainstream Marketing Services, Inc., et. al. v. Federal Trade Commission, last Friday held that the FTC ''Do-Not-Call Registry violated the Right of Free Speech provisions of the United States Constitution.

How many times must this body speak before the courts will listen?

Americans are outraged that their right to privacy can be invaded every night while they try to eat dinner with their families. Our lives are busy enough throughout the day with work and school, after school activities and preparing for the next day. To have a little quiet time at dinner is not too much to ask, yet these telemarketing companies now feel it is their right to disturb our few moments of family solitude.

In the first case they brought against the regulations they argued lack of authority. Now they argue lack of constitutional support. What is next, lack of ability to abide by what the Administration, Congress and the American people are clamoring for?

Those who seek to stop the implementation of this program assert they are protected by a right of free speech. Therein lies the problem.

The commercial speech that the telemarketers seek to preserve is not held to the same standard under the First Amendment as individual right of speech. Further, the FTC regulations are not arbitrary and capricious because the FTC considered the comments of thousands of people and clearly made findings justifying their regulations.

Now, Congress has subsequently acted to establish in law the authority for the FTC to say that telemarketers do not enjoy a free rein into our homes by using the telephone.

I say it is the people who have the right to decide they do not want to be hounded by telemarketers and those who would interrupt the sanctity of their homes.

The U.S. Supreme Court has found that one aspect of residential privacy is the right to avoid unwanted communications. The Supreme Court also has repeatedly held that individuals are not required to welcome unwanted speech into their homes and that the government may protect this freedom.

The entire purpose of the FTC's ''Do No Call Registry'' program is to allow Americans to opt-out of receiving these annoying phone calls. In my judgment the court's decision to stop this program tilts our privacy rights out of balance in favor of these telemarketing companies.

As we heard repeatedly on the Senate floor last week, in just the few short months since the FTC adopted these rules nearly 50 million people have registered to stop these harassing phone calls.

Alaskans were looking forward to the implementation of this FTC rule to give them the peace and quiet they have sought for so long. We need this FTC rule to protect our citizens and their privacy.

Americans and Congress have spoken. People do not like to be disturbed by unwanted and harassing phone calls from people selling products over the phone. The Administration listened to the cries of Americans. Congress listened to the cries of Americans. Now the courts must respect the choice of the people by allowing this rule to go into effect.

Unfortunately, the most recent court opinion on this issue shows yet again that the justice system in America is broken and badly in need of repair.

The resolution that I submit today is different from what the Senate voted on last week. This resolution states that it is the sense of the United States Senate that the court's judgment in this most recent case was in error.

The Resolution further authorizes the Senate Legal Counsel to intervene in this most recent case to assert the constitutionality of the ''Do-Not-Call Registry,'' or if it is unable to intervene, to file an amicus curiae brief in support of the constitutionality of the do-not-call registry.

Once again I ask this body: How many times must we speak before the courts will let this rule go into effect? Hopefully the courts will pay attention today.

I am proud to submit this resolution and I hope this body will act quickly on this measure to send yet another message to our courts that the privacy of our homes cannot be invaded.

SENATE CONCURRENT RESOLUTION 72—COMMEMORATING THE 60TH ANNIVERSARY OF THE ESTABLISHMENT OF THE UNITED STATES CADET NURSE CORPS AND VOICING THE APPRECIATION OF CONGRESS REGARDING THE SERVICE OF THE MEMBERS OF THE UNITED STATES CADET NURSE CORPS DURING WORLD WAR II

Mr. DASCHLE submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. CON. RES. 72

Whereas the United States experienced an extreme shortage of nurses and medical personnel during World War II, and this shortage was filled in part by the 180,000 women of the United States Cadet Nurse Corps;

Whereas the United States Cadet Nurse Corps was under the jurisdiction of the Public Health Service, a branch of the uniformed services of the United States;

Whereas the United States Cadet Nurse Corps was established pursuant to the Act of June 15, 1943 (Chapter 126; 57 Stat. 153), commonly known as the Bolton Act in honor of Congresswoman Frances Payne Bolton who introduced the legislation;

Whereas the members of the United States Cadet Nurse Corps were required to undergo training that involved 12-hour days in hospitals followed by classes, with specific standards for admission into the Corps;

Whereas the members of the United States Cadet Nurse Corps made a pledge upon entrance into their post to be available for military, governmental, or essential civilian services for the duration of World War II;

Whereas the members of the United States Cadet Nurse Corps wore uniforms with patches certified by the Secretary of the Army and served under the authority of commissioned officers;

Whereas members of the United States Cadet Nurse Corps were charged with the reception of sick and wounded members of the Armed Forces and performed other duties in promotion of the public interest in connection with military operations;

Whereas the United States Cadet Nurse Corps was responsible for saving civilian hospital nursing services by providing 80 percent of the nursing staff for civilian hospitals during World War II;

Whereas some members of the United States Cadet Nurse Corps left their families and served all across the Nation in various hospitals, occasionally substituting for doctors; and

Whereas the United States Cadet Nurse Corps remains unrecognized as a military organization and its members remain unrecognized as veterans of the United States Army: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes the members of the United States Cadet Nurse Corps for their patriotism and civic activism in a time of emergency during World War II; and

(2) honors the 60th Anniversary of the creation of the United States Cadet Nurse Corps.

Mr. DASCHLE. Mr. President, today I am submitting a concurrent resolution to honor a special group of women

who served their Nation during World War II, veterans of the Cadet Nurse Corps.

During World War II, 250,000 nurses were sent to the front lines to care for Allied troops. By 1942, there was such a shortage of civilian nurses in the United States that many immunizations were cancelled and hundreds of clinics were closed. An alarmingly high number of babies were being delivered at home, without the assistance of medical professionals, and some hospitals were forced to shut wards.

To alleviate this shortage, nearly 180,000 young women answered the call of government recruiters to join the Cadet Nurse Corps. These young women staffed domestic hospital wards while the overseas nurses cared for wounded troops on the front lines. The Cadet Nurses comprised nearly 80 percent of the nursing staff for civilian hospitals during World War II, and, without their service, our Nation could not have afforded to make such a tremendous commitment to providing medical attention to our troops overseas.

Recently, a number of former Cadet Nurses who trained at St. Luke's Hospital in Aberdeen, SD, gathered for a reunion. This year, as you may know, marks the 60th anniversary of the establishment of the Cadet Nurse Corps. The reunion drew about a dozen former members of the Corps, including several who now live out of State.

Among the participants was Esther Roesch Buechler, and her story provides insight into what it was like to serve as a Cadet Nurse.

Esther, now 78 years old, grew up in Roscoe, a small community in north-central South Dakota. She was born with a number of medical problems that have inspired her to help others in need. With great support from her father, she was determined to devote her life to medical care. Upon her graduation from high school in 1943, Esther joined the Cadet Nurse Corps. Assigned to St. Luke's, she recalls long, arduous hours at a clinic whose nursing staff had been decimated by the war. Later in her training, she was sent to the VA nursing home in Des Moines, Iowa, where she treated World War I veterans, as well as new veterans from the World War II campaign. Following her Cadet Nurse Corps experience, Esther served in various hospitals for nearly 10 years before she retired to raise her children. And she passed her commitment to medical service on to her children—her oldest son currently works as a paramedic.

Cadet Nurses like Esther were an essential part of our military force. They were members of the Public Health Service, one of our Nation's seven uniformed services. They served under the authority of commissioned officers, wearing patches certified by the Secretary of the Army. And they treated the injuries of troops returning home from the war front. Despite their dedicated service to our Nation, it is unfortunate that the Department of Defense has elected to block efforts to recognize these women as military veterans.

During the existence of the Cadet Nurse Corps, more than 124,000 Cadet Nurses graduated from 1,125 schools operating nurse training programs around the country. Without the Cadet Nurses, our battlefield medical services, as well as our health care here at home, could not have carried on with the same proficiency. For their tremendous service to our nation, I salute the Cadet Nurse Corps, and I ask you to join with me in supporting this resolution honoring their patriotism.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1825. Mr. BOND (for himself, Ms. MIKULSKI, Mr. DORGAN, and Mr. JEFFORDS) proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

SA 1826. Mr. DORGAN (for himself and Ms. LANDRIEU) proposed an amendment to the bill S. 1689, supra.

SA 1827. Mr. FRIST (for Mr. FEINGOLD) proposed an amendment to the bill S. 1642, to extend the duration of the immigrant investor regional center pilot program for 5 additional years, and for other purposes.

CORRECTED TEXT OF AMENDMENTS—October 2, 2003

SA 1819. Mr. BYRD (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place in Title III, insert the following:

SEC. ___.

(a) None of the funds under the heading Iraq Relief and Reconstruction Fund may be used for: a Facilities Protection Service Professional Standards and Training Program; any amount in excess of $50,000,000 for completion of irrigation and drainage systems; construction of water supply dams; any amount in excess of $25,000,000 for the construction of regulators for the Hawizeh Marsh; any amount in excess of $50,000,000 for a witness protection program; Postal Information Technology Architecture and Systems, including establishment of ZIP codes; civil aviation infrastructure cosmetics, such as parking lots, escalators and glass; museums and memorials; wireless fidelity networks for the Iraqi Telephone Postal Company; any amount in excess of $50,000,000 for construction of housing units; any amount in excess of $100,000,000 for an American-Iraqi Enterprise Fund; any amount in excess of $75,000,000 for expanding a network of employment centers, for on-the-job training, for computer literacy training, English as a Second Language or for Vocational Training Institutes or catch-up business training; any amount in excess of $782,500,000 for the purchase of petroleum product imports.

(b) Notwithstanding any other provision of this Act, amounts made available under the heading Iraq Relief and Reconstruction Fund shall be reduced by $600,000,000.

(c) In addition to the amounts otherwise made available in this Act, $600,000,000 shall be made available for Operation and Maintenance, Army: *Provided*, That these funds are available only for the purpose of securing and destroying conventional munitions in Iraq, such as bombs, bomb materials, small arms, rocket propelled grenades, and shoulder-launched missiles.

TEXT OF AMENDMENTS

SA 1825. Mr. BOND (for himself, Ms. MIKULSKI, Mr. DORGAN, and Mr. JEFFORDS) proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place, insert the following:

DEPARTMENT OF VETERANS AFFAIRS
VETERANS HEALTH ADMINISTRATION
MEDICAL CARE

For an additional amount for medical care and related activities under this heading for fiscal year 2004, $1,300,000,000, to remain available until September 30, 2005.

SA 1826. Mr. DORGAN (for himself and Ms. LANDRIEU) proposed an amendment to the bill S. 1689, making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes; as follows:

Beginning on page 25, strike line 5, and all that follows through page 28, line 15, and insert the following:

FINANCING OF RECONSTRUCTION

The President shall direct the head of the Coalition Provisional Authority in Iraq, in coordination with the Governing Council of Iraq or a successor governing authority in Iraq, to establish an Iraq Reconstruction Finance Authority. The purpose of the Authority shall be to obtain financing for the reconstruction of the infrastructure in Iraq by collateralizing the revenue from future sales of oil extracted in Iraq. The Authority shall obtain financing for the reconstruction of the infrastructure in Iraq through—

(1)(A) issuing securities or other financial instruments; or

(B) obtaining loans on the open market from private banks or international financial institutions; and

(2) to the maximum extent possible, securitizing or collateralizing such securities, instruments, or loans with the revenue from the future sales of oil extracted in Iraq.

SA 1827. Mr. FRIST (for Mr. FEINGOLD) proposed an amendment to the bill S. 1642, to extend the duration of the immigrant investor regional center pilot program for 5 additional years, and for other purposes; as follows:

At the end, add the following:

SEC. 2. GAO STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the General Accounting Office shall report to Congress on the immigrant investor program created under section 203(b)(5) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5)).

(b) CONTENTS.—The report described in subsection (a) shall include information regarding—

(1) the number of immigrant investors that have received visas under the immigrant investor program in each year since the inception of the program;