

freely. And for that sacrifice, we are forever indebted. Our thoughts and prayers are with him and his family today and with the troops who are putting their lives on the line in Iraq.

#### LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe such a crime committed on July 30, 2001. In Santa Ana, CA, a 22-year-old man stabbed his 17-year-old Asian neighbor, Kenneth Chiu, as the victim was returning from a date. Before dying, Mr. Chiu identified his attacker who later confessed that he targeted Mr. Chiu because of his identity. He told investigators that he hated Asians and other ethnic minorities.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

#### MOVING TO SUSPEND RULE XVI

Mr. LUGAR. Mr. President, I hereby provide notice that I intend to move to suspend rule XVI of the Standing Rules of the Senate during the Senate's consideration of H.R. 2800 in order to offer the amendment No. 1974 to that bill.

(The amendment is printed in today's RECORD under "Morning Business.")

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO PACHY BURNS

• Mr. BURNS. Mr. President, today I bring to your attention a truly remarkable program. In America, at this point in our history, most people are so far removed from their agrarian roots, they have lost all understanding of true ties to the land. This is one of the many problems that agricultural producers face in their battle for survival.

There is a sheep producer in Montana who is working to correct this problem. Pachy Burns is a true Western woman. There is nothing that she is not willing to face and, if need be, challenge. Pachy has created a program called Jam to Lamb. It is an all-women's lambing party that involves women from all over the United States. Women from every walk of life experience the true meaning of ranching by learning through doing.

Women who visit Pachy learn about delivering lambs, branding lambs, nurs-

ing bums, and all of the other necessities of daily ranch life. They learn the truth about issues impacting agriculture such as Federal lands and predators.

I ask that you all join me in recognition of Pachy Burns, a woman who is trying to open not only the eyes but also the hearts of people, who should have a better understanding of where their food comes from. Pachy is accomplishing this through leadership and friendship the true mark of a Westerner.●

#### MEASURES PLACED ON THE CALENDAR

The following joint resolution was read the second time, and placed on the calendar:

S.J. Res. 21. Joint resolution expressing the sense of Congress that the number of years during which the death tax under subtitle B of the Internal Revenue Code of 1986 is repealed should be extended, pending the permanent repeal of the death tax.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SHELBY, from the Committee on Banking, Housing, and Urban Affairs, with an amendment in the nature of a substitute:

S. 627. A bill to prevent the use of certain payments instruments, credit cards, and fund transfers for unlawful Internet gambling, and for other purposes (Rept. No. 108-173).

By Ms. COLLINS, from the Committee on Governmental Affairs, without amendment:

H.R. 1610. A bill to redesignate the facility of the United States Postal Service located at 120 East Ritchie Avenue in Marceline, Missouri, as the "Walt Disney Post Office Building".

H.R. 1882. A bill to designate the facility of the United States Postal Service located at 440 South Orange Blossom Trail in Orlando, Florida, as the "Arthur 'Pappy' Kennedy Post Office".

H.R. 1883. A bill to designate the facility of the United States Postal Service located at 1601-1 Main Street in Jacksonville, Florida, as the "Eddie Mae Steward Post Office".

H.R. 2075. A bill to designate the facility of the United States Postal Service located at 1905 West Blue Heron Boulevard in West Palm Beach, Florida, as the "Judge Edward Rodgers Post Office Building".

H.R. 2254. A bill to designate the facility of the United States Postal Service located at 1101 Colorado Street in Boulder City, Nevada, as the "Bruce Woodbury Post Office Building".

H.R. 2309. To designate the facility of the United States Postal Service located at 2300 Redondo Avenue in Long Beach, California, as the "Stephen Horn Post Office Building".

H.R. 2328. A bill to designate the facility of the United States Postal Service located at 2001 East Willard Street in Philadelphia, Pennsylvania, as the "Robert A. Borski Post Office Building".

H.R. 2396. A bill to designate the facility of the United States Postal Service located at 1210 Highland Avenue in Duarte, California, as the "Francisco A. Martinez Flores Post Office".

H.R. 2452. A bill to designate the facility of the United States Postal Service located at 339 Hicksville Road in Bethpage, New York, as the "Brian C. Hickey Post Office Building".

H.R. 2533. A bill to designate the facility of the United States Postal Service located at 10701 Abercorn Street in Savannah, Georgia, as the "J.C. Lewis, Jr. Post Office Building".

H.R. 2746. A bill to designate the facility of the United States Postal Service located at 141 Weston Street in Hartford, Connecticut, as the "Barbara B. Kennelly Post Office Building".

H.R. 3011. A bill to designate the facility of the United States Postal Service located at 135 East Olive Avenue in Burbank, California, as the "Bob Hope Post Office Building".

S. 1405. A bill to designate the facility of the United States Postal Service located at 514 17th Street, Moline, Illinois, as the "David Bybee Post Office Building".

S. 1415. A bill to designate the facility of the United States Postal Service located at 141 Weston Street in Hartford, Connecticut, as the "Barbara B. Kennelly Post Office Building".

S. 1590. A bill to redesignate the facility of the United States Postal Service located at 315 Empire Boulevard in Crown Heights, Brooklyn, New York, as the "James E. Davis Post Office Building".

S. 1659. A bill to designate the facility of the United States Postal Service located at 57 Old Tappan Road in Tappan, New York, as the "John G. Dow Post Office Building".

S. 1671. A bill to designate the facility of the United States Postal Service located at 10701 Abercorn Street in Savannah, Georgia, as the "J.C. Lewis Post Office Building".

S. 1692. A bill to designate the facility of the United States Postal Service located at 38 Spring Street in Nashua, New Hampshire, as the "Hugh Gregg Post Office Building".

S. 1718. A bill to designate the facility of the United States Postal Service located at 3710 West 73rd Terrace in Prairie Village, Kansas, as the "Senator James B. Pearson Post Office".

S. 1746. A bill to designate the facility of the United States Postal Service located at 339 Hicksville Road in Bethpage, New York, as the "Brian C. Hickey Post Office Building".

#### ADDITIONAL COSPONSORS

S. 349

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 349, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 698

At the request of Mr. BUNNING, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 698, a bill to clarify the status of the Young Men's Christian Association Retirement Fund for purposes of the Internal Revenue Code of 1986.

S. 1034

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1034, a bill to repeal the sunset date on the assault weapons ban, to ban the importation of large capacity ammunition feeding devices, and for other purposes.

S. 1246

At the request of Mr. ROBERTS, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 1246, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 1305

At the request of Mr. BINGAMAN, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 1305, a bill to amend the Internal Revenue Code of 1986 to provide for the treatment of certain motor vehicle dealer transitional assistance.

S. 1379

At the request of Mr. JOHNSON, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 1379, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 1380

At the request of Mr. CRAIG, his name was added as a cosponsor of S. 1380, a bill to distribute universal service support equitably throughout rural America, and for other purposes.

S. 1397

At the request of Mr. GREGG, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1397, a bill to prohibit certain abortion-related discrimination in governmental activities.

S. 1538

At the request of Mr. HARKIN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1538, a bill to ensure that the goals of the Dietary Supplement Health and Education Act of 1994 are met by authorizing appropriations to fully enforce and implement such Act and the amendments made by such Act, and for other purposes.

S. 1545

At the request of Mr. HATCH, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1545, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents.

S. 1554

At the request of Mrs. MURRAY, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1554, a bill to provide for secondary school reform, and for other purposes.

S. 1570

At the request of Mr. SANTORUM, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 1570, a bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for the purchase of private health insurance, and to establish State health insurance safety-net programs.

S. 1595

At the request of Mr. KERRY, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Illinois (Mr. DURBIN) were added as co-

sponsors of S. 1595, a bill to amend the Internal Revenue Code of 1986 to allow small business employers a credit against income tax with respect to employees who participate in the military reserve components and are called to active duty and with respect to replacement employees and to allow a comparable credit for activated military reservists who are self-employed individuals, and for other purposes.

S. 1655

At the request of Mr. ENSIGN, the name of the Senator from Missouri (Mr. TALENT) was added as a cosponsor of S. 1655, a bill to ratify the authority of the Federal Trade Commission to establish the do-not-call registry.

S. 1664

At the request of Mr. COCHRAN, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. 1664, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to provide for the enhanced review of covered pesticide products, to authorize fees for certain pesticide products, and to extend and improve the collection of maintenance fees.

S. 1700

At the request of Mr. HATCH, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 1700, a bill to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.

S. 1703

At the request of Mr. SMITH, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1703, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax for expenditures for the maintenance of railroad tracks of Class II and Class III railroads.

S. 1726

At the request of Mr. ALEXANDER, the names of the Senator from New Jersey (Mr. CORZINE), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Indiana (Mr. LUGAR), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Utah (Mr. BENNETT), the Senator from Nebraska (Mr. HAGEL), the Senator from Georgia (Mr. MILLER) and the Senator from Missouri (Mr. TALENT) were added as cosponsors of S. 1726, a bill to reduce the preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

S. 1736

At the request of Mr. ENZI, the names of the Senator from North Dakota (Mr. CONRAD) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 1736, a bill to promote simplification and fairness in the administration and collection of sales and use taxes.

S. 1775

At the request of Mr. BOND, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1775, a bill to make certain technical and conforming amendments to correct the Health Care Safety Net Amendments of 2002.

S. 1785

At the request of Mr. GRASSLEY, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 1785, a bill to authorize the operation of National Guard counterdrug schools.

S. CON. RES. 73

At the request of Mr. SANTORUM, his name was added as a cosponsor of S. Con. Res. 73, a concurrent resolution expressing the deep concern of Congress regarding the failure of the Islamic Republic of Iran to adhere to its obligations under a safeguards agreement with the International Atomic Energy Agency and the engagement by Iran in activities that appear to be designed to develop nuclear weapons.

At the request of Mrs. FEINSTEIN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. Con. Res. 73, *supra*.

S. CON. RES. 75

At the request of Mr. DURBIN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Con. Res. 75, a concurrent resolution expressing the sense of the Congress that a commemorative postage stamp should be issued to promote public awareness of Down syndrome.

S. RES. 244

At the request of Mrs. BOXER, the names of the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Indiana (Mr. LUGAR), the Senator from California (Mrs. FEINSTEIN) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. Res. 244, a resolution congratulating Shirin Ebadi for winning the 2003 Nobel Peace Prize and commending her for her lifetime of work to promote democracy and human rights.

AMENDMENT NO. 1966

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of amendment No. 1966 proposed to H.R. 2800, a bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2004, and for other purposes.

At the request of Mr. SANTORUM, his name was added as a cosponsor of amendment No. 1966 proposed to H.R. 2800, *supra*.

At the request of Mr. DEWINE, the names of the Senator from New Jersey

(Mr. CORZINE), the Senator from Kansas (Mr. BROWNBACK), the Senator from Indiana (Mr. LUGAR), the Senator from Kansas (Mr. ROBERTS), the Senator from Nebraska (Mr. HAGEL), the Senator from North Carolina (Mrs. DOLE), the Senator from Maine (Ms. COLLINS), the Senator from Oregon (Mr. SMITH), the Senator from Massachusetts (Mr. KENNEDY) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of amendment No. 1966 proposed to H.R. 2800, *supra*.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1968. Mr. MCCONNELL (for himself and Mr. LEAHY) proposed an amendment to the bill H.R. 2800, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2004, and for other purposes.

SA 1969. Mr. BYRD proposed an amendment to the bill H.R. 2800, *supra*.

SA 1970. Mr. MCCONNELL (for himself, Mr. LEAHY, and Mr. MCCAIN) proposed an amendment to the bill H.R. 2800, *supra*.

SA 1971. Mr. SCHUMER (for himself and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill H.R. 2800, *supra*; which was ordered to lie on the table.

SA 1972. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the bill H.R. 2800, *supra*; which was ordered to lie on the table.

SA 1973. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2800, *supra*; which was ordered to lie on the table.

SA 1974. Mr. LUGAR submitted an amendment intended to be proposed by him to the bill H.R. 2800, *supra*; which was ordered to lie on the table.

SA 1975. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 2800, *supra*; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 1968. Mr. MCCONNELL (for himself and Mr. LEAHY) proposed an amendment to the bill H.R. 2800, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 147, between lines 6 and 7, insert the following new section:

PROHIBITION ON FUNDING TO COUNTRIES THAT TRADE IN CERTAIN WEAPONS WITH NORTH KOREA

SEC. 692. (a) No funds appropriated pursuant to this Act may be made available to the government of a country or for a project in a country that, during the 12-month period ending on the date that such funds would be obligated, has—

(1) exported to North Korea any item listed on the United States Munitions List under section 38 of the Arms Export Control Act (22 U.S.C. 2278) or any dual-use item on the Commerce Control List pursuant to the Export Administration Regulations (15 C.F.R. part 730 et seq.), if the President determines that such items are intended for use in a weapons of mass destruction or a missile program in North Korea; or

(2) imported from North Korea any item described in paragraph (1).

(b) The President may waive the prohibition in subsection (a) with respect to a country or project if the President certifies to Congress that it is in the national interest of the United States to waive the prohibition.

On page 48, line 21, insert after "Jordan:" the following: "Provided further, That of the funds appropriated by this paragraph, \$27,000,000 shall be made available for assistance for Poland:"

On page 18, line 10, after "Jordan" insert the following: ":", which sum shall be disbursed within 30 days of enactment of this Act".

On page 141, line 4, strike "in Jamaica and El Salvador".

On page 141, after line 13, insert the following:

"(c) REPORT.—The requirement for an annual report, contained in section 582(b)(1) of Division E of P.L. 108-7, shall be applicable to all programs for which funds are provided under the authority of this subsection."

On page 21, line 18, after the colon insert the following: "Provided further, That of the funds appropriated under this heading, not less than \$350,000 should be made available, notwithstanding any other provision of law, for the National Endowment for Democracy to support democracy and human rights in North Korea:"

Insert where appropriate:

#### MALAYSIA

SEC. . (a) Funds appropriated by this Act that are available for assistance for Malaysia may be made available if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Malaysia supports and promotes religious freedoms, including tolerance for people of the Jewish faith.

(b) The Secretary of State may waive the requirements of subsection (a) if he determines and reports to the Committees on Appropriations that such a waiver is in the national security interests of the United States.

On page 23, line 21, delete all after the colon through "Macedonia:" on line 25.

On page 21, line 18, after the colon insert the following: "Provided further, That of the funds appropriated under this heading, up to \$1,000,000 should be made available for a program to promote greater understanding and interaction among youth in Albania, Kosovo, Montenegro and Macedonia:"

On page 17, line 18, strike "Provided" through "Cairo:" on page 18, line 1.

On page 122, line 3, strike "are made" and insert in lieu thereof: "are".

On page 137, line 11, strike "March 1" and insert in lieu thereof: "March 31".

On page 37, line 22, strike "\$18,500,000" and insert in lieu thereof: "\$21,000,000".

On page 147, line 6, after "Act" insert the following:

#### WAR CRIMES IN AFRICA

SEC. 692. Funds appropriated by this Act, including funds for debt restructuring, shall not be made available to the central government of a country in which individuals indicted by the International Criminal Tribunal for Rwanda (ICTR) and the Special Court for Sierra Leone (SCSL) are credibly alleged to be living unless the Secretary of State certifies to the President of the Senate and the Speaker of the House of Representatives that such government is cooperating with ICTR and SCSL, including the surrender and transfer of indictees: *Provided*, That the previous proviso shall not apply to assistance provided under section 551 of the Foreign Assistance Act of 1961: *Provided further*, That the United States shall use its voice and vote in the United Nations Security Council to fully support efforts by ICTR and SCSL to bring to justice individuals indicted by such tribunals.

On page 91, line 17, after "law.", insert the following:

(J) WAIVER.—The prohibition in Section 692 of this Act may be waived on a country by country basis if the President determines that doing so is in the national security interest of the United States: *Provided*, That prior to exercising such waiver authority, the President shall submit a report to the Committees on Appropriations describing: (1) the steps the Administration is taking to obtain the cooperation of the government in surrendering the indictee in question to the Special Court for Sierra Leone (SCSL) or the International Criminal Tribunal for Rwanda (ICTR); (2) a strategy for bringing the indictee before ICTR or SCSL; and (3) the justification for exercising the waiver authority.

On page 35, line 22, before the colon insert the following: "": *Provided further*, That of the funds appropriated under this heading, not less than \$2,500,000 shall be made available for continued training, equipment, and other assistance for the Colombian National Park Service: *Provided further*, That none of the funds appropriated by this Act shall be made available for aerial fumigation within Colombia's national parks".

On page 20, line 9, before the colon, insert the following: "": *Provided further*, That of the funds made available under this heading, not less than \$2,500,000 shall be made available, in addition to amounts otherwise available for such purposes, as a United States contribution to the Office of the United Nations High Commissioner for Human Rights, to support its activities including human rights training for peacekeepers, activities to address trafficking in persons, monitoring and field activities".

On page 39, line 2, before the period insert the following: "": *Provided*, That funds made available under this heading are appropriated notwithstanding the provisions contained in section 2(c)(2) of such Act which would limit the amount of funds which could be appropriated for this purpose".

On page 75, line 22, strike "\$10,000,000" and insert in lieu thereof: "\$25,000,000".

On page 75, line 24, before the colon, insert the following: ":", and to support programs aimed at addressing the needs of Afghan women in consultation with other Afghan ministries".

On page 21, line 18, before the colon, insert the following: "": *Provided further*, That of the funds made available under this heading and the heading "Office of Transition Initiatives", not less than \$5,000,000 shall be made available for disarmament, demobilization, and reintegration of child soldiers in Liberia".

On page 19, line 25, before the colon, insert the following: "": *Provided further*, That of the funds appropriated under this heading, not less than \$10,000,000 shall be made available for programs and activities in rural Mexico to promote microcredit lending, small business and entrepreneurial development, and private property ownership in rural communities, and to support small farmers who have been affected by adverse economic conditions: *Provided further*, That funds made available pursuant to the previous proviso may be made available only if the case involving three Americans arrested in Oaxaca, Mexico on October 6, 2003, in connection with a private property dispute is resolved satisfactorily, and such funds shall be subject to the regular notification procedures of the Committees on Appropriations".

SA 1969. Mr. BYRD proposed an amendment to the bill H.R. 2800, making appropriations for foreign operations, export financing, and related